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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 24th April, 1963.

Issue No.	No. and Date	Issued by	Subject
73	S.O. 1151, dated 20th April, 1963.	Ministry of Commerce & Industry.	Appointing persons as members of the Tea Board until the 31st March, 1966.
74	S. O. 1152, dated 20th April, 1963.	Election Commission, India.	Amendment in Notification No. 434/GJ/61, dated the 21st October, 1961.
75	S. O. 1153, dated 20th April, 1963.	Ministry of Commerce & Industry	Amendment to the Notification No. A-342, dated 16th October, 1923.
	S.O. 1154, dated 20th April, 1963.	Ditto.	Directing that the provision of section 78-A of the Indian Patents and Designs Act, 1911 (2 of 1911) shall apply for the protection of inventions patented in the Commonwealth of Australia with effect from the 20th April, 1963.
76	S. O. 1155, dated 22nd April, 1963.	Election Commission, India.	Calling upon the Rajkot Parliamentary Constituency to elect before the 1st June, 1963, a person to fill the said vacancy so caused by reason of the resignation of Shri U. N. Dhebar.
	S.O. 1156, dated 22nd April, 1963.	Ditto.	Appointing as the last date for making nominations; as the date for the scrutiny of nominations; as the last date for the withdrawal of candidatures; as the date on which the poll shall if necessary, be taken; and as the date before which the election shall be completed.
	S.O. 1157, dated 22nd April, 1963.	Ditto.	Fixing the hours from 8 A.M. to 5 P.M. as the hours during which a poll, if necessary, be taken for the election to the House of the People.

Issue No.	No. and Date	Issued by	Subject
77	S.O. 1158, dated 22nd April, 1963.	Ministry of Commerce & Industry.	Further amendment to the Exports. (Control) Order, 1962.
78	S.O. 1212, dated 23rd April, 1963.	Ministry of Information & Broadcasting.	Approval of the films specified therein.
	S.O. 1213, dated 23rd April, 1963.	Ditto.	Approval of the film specified therein,
	S.O. 1214, dated 23rd April, 1963.	Ditto.	Approval of the film specified therein.
79	S.O. 1215, dated 24th April, 1963.	Ministry of Law	Declaration containing the name of the candidate.

Copies of the Gazettes Extraordinary mentioned above will be supplied on Indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

MINISTRY OF HOME AFFAIRS

New Delhi, the 25th April, 1963.

S.O. 1219.—In exercise of the powers conferred by entry 3(c) of Schedule I annexed to the Ministry of Home Affairs notification No. 15/13/59(V)-P. IV dated the 13th July, 1962 (GSR 991, published in the Gazette of India—Part II, Section 3, Sub-section (ii) dated the 28th July, 1962), the Central Government is pleased to specify Kumar Pradip Chandra Deo, son of and the heir apparent to the Ruler of Athmallik in Orissa State, for the purpose of that entry and directs that the exemption shall be valid for one revolver and one shot gun only.

[No. 16/5/63-P. IV.]

L. I. PARIJA, Dy. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 27th April 1963

S.O. 1220.—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the Administrator of Goa, Daman and Diu shall, subject to the control of the President and until further orders, exercise the powers, and discharge the functions, of the Central Government under the Indian Trade Unions Act, 1926 (16 of 1926) as extended to Goa, Daman and Diu under the Goa, Daman and Diu (Laws) Regulation, 1962, within the territory of Goa, Daman and Diu.

[F. No. 6(30)62-Goa.]

C. S. AHLUWALIA, Under Secy.

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi, the 15th April, 1963.

S.O. 1221.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following Regulations further to amend the Civil Service Regulations, namely:—

(1) These Regulations may be called the Civil Service (Third Amendment) Regulations, 1963.

(2) In the Civil Service Regulations, in Article 408, after clause (2), the following clause shall be inserted namely:—

“(3) Notwithstanding anything contained in Article 407 or in this Article, in respect of officers who retire or die on or after 1st April, 1963, all periods of leave with allowances shall count as service.”

NOTE.—Nothing in this Article shall affect other provisions of the Civil Service Regulations relating to the counting of special kinds of leave for pension.

(This Article was last amended *vide* Notification No. F. 4(2)-Est(Spl)/-59-I, dated 22nd April, 1960, published in the Gazette of India as S.O. No. 1022).

[No. F. 3(15)-EV(A)/62.]

New Delhi, the 20th April 1963

S.O. 1222.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Ministry of Finance (Department of Expenditure—Class III Posts) Recruitment Rules, 1961, published with the Notification of the Government of India in the Ministry of Finance (Department of Expenditure), S.O. No. 2492, dated the 9th October, 1961, namely:—

1. These rules may be called the Ministry of Finance (Department of Expenditure—Class III Posts) Amendment Rules, 1963.

2. In the Ministry of Finance (Department of Expenditure—Class III Posts) Recruitment Rules, 1961, in the Schedule, in column 14 against Serial No. 3, for item (iii) and the entries relating thereto, the following shall be substituted, namely:—

“(iii) Upper Division Clerks from Audit and Accounts Offices.”

[No. F. 1(8)-E.I(A)/63.]

K. P. SIRCAR, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 23rd April 1963

S.O. 1223.—In exercise of the powers conferred by sub-section (2) of Section 17 of the Mines and Minerals (Regulation and Development) Act, 1957 (67 of 1957), the Central Government, after consultation with the Government of the State of Mysore, hereby declares that it proposes to undertake mining operations

in respect of gold in the State of Mysore in the area specified in the Schedule below:—

SCHEDULE

Description, Area and Boundaries of the Mine Block

The Mine Block is called 'The Yerrakonda' Block.

The Mining Block is situated on the Kolar Gold Field in the Bangarpet Taluk of the Kolar District, Mysore State. The area of the Mining Block is 133.4 acres or thereabouts and bounded as follows:—

Boundary Stone	Shape	Height in ft.	Letters cut in boundary stone.	
K 21	Triangle	1.50	..	S.K.B.
K 79	"	1.50	..	S.K.B.
K 80	"	1.50	..	Y.B.
K 81	"	1.50	..	Y.B.
K 82	"	1.50	..	Y.B.
K 83	"	1.50 S.K.B.	Y.B.	..

The boundaries between the pillars are straight lines, the length and bearing of which, are as follows:—

From	To	Distance in ft.	Bearing to true North
K 21	K 79	1310	359° 07' 46"
K 79	K 80	1230	92° 00' 00"
K 80	K 81	3056.5	193° 58' 00"
K 81	K 82	2180	262° 00' 00"
K 82	K 83	2100	00° 00' 00"
K 83	K 21	1690	93° 18' 22"

[No. F. 5(5)-GM/63.]

A. L. KOHLI, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 23rd April 1963

S.O. 1224.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Coimbatore Varthaka Vridhi Bank Ltd., Coimbatore in respect of the properties held by it at Vellanaipatti, Coimbatore District, Madras, till the 15th September, 1963.

[No. F. 15(4)-BC/63.]

S.O. 1225.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Sahukara Bank Ltd., Ludhiana in respect of the properties held by it at Banga, Jullundur District, Punjab, till the 15th March, 1963.

[No. F. 15(5)-BC/63.]

S.O. 1226.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9

of the said Act shall not apply to the Kamala Bank Ltd., Cooch Behar, in respect of the house property held by it at Patakura, Cooch Behar Town, West Bengal till the 1st January, 1964.

[No. F. 15(6)-BC/63.]

S.O. 1227.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Hindustan Commercial Bank Ltd., Kanpur in respect of the property held by it at Dholpur, till the 15th March, 1964.

[No. F. 15(8)-BC/63.]

S.O. 1228.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Bari Doab Bank Ltd., Hoshiarpur in respect of the properties held by it at Premgarh, Hoshiarpur District, Punjab and at Kotwal, Ferozepur District, Punjab, till the 15th March, 1964.

[No. F. 15(9)-BC/63.]

New Delhi, the 26th April 1963

S.O. 1229.—In exercise of the powers conferred by sub-section (I) of section 38A of the Banking Companies Act, 1949 (10 of 1949), the Central Government have appointed Shri B. J. Rele, Officiating Official Liquidator, High Court, Bombay, to act as Court Liquidator, attached to the said High Court with effect from the 12th February, 1963 until further orders vice Shri P. D. Dalal granted leave.

[No. F. 2(5)-BC/63.]

S.O. 1230.—In exercise of the powers conferred by sub-rule (2) of rule 11 and clause (b) of sub-rule (2) of rule 14 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Economic Affairs) No. S.R.O. 627, dated the 28th February, 1957, namely :—

In the Schedule to the said notification in Part I—General Central Service, Class II, after the existing entries, the following heading and entries shall be added at the end, namely :—

"GOLD BOARD, BOMBAY

All posts	Secretary Department of Economic Affairs	Secretary Department of Economic Affairs	All"
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[No. F.2/8/63-GC.]

B. J. HEERJEE, Under Secy.

(Department of Economic Affairs)

New Delhi, the 28th April, 1963

S.O. 1231—Statement of the Affairs of the Reserve Bank of India, as on the 19th April, 1963

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	19,75,56,000
Reserve Fund	80,00,00,000	Rupee Coin	1,64,000
National Agricultural Credit (Long Term Operations) Fund	63,00,00,000	Small Coin	2,78,000
National Agricultural Credit (Stabilisation) Fund	7,00,00,000	National Agricultural Credit (Long Term Operations) Fund	
Deposits :—		(a) Loans and Advances to :—	
(a) Government		(i) State Governments	27,17,26,000
(i) Central Government	63,40,22,000	(ii) State Co-operative Banks	8,85,21,000
(ii) State Governments	3,97,65,000	(iii) Central Land Mortgage Banks	
(b) Banks		(b) Investment in Central Land Mortgage Bank Debentures	2,84,88,000
(i) Scheduled Banks	78,56,39,000	National Agricultural Credit (Stabilisation) Fund	
(ii) State Co-operative Banks	4,03,78,000	Loans and Advances to State Co-operative Banks	
(iii) Other Banks	5,16,000	Bills Purchased and Discounted :—	
(c) Others	169,20,83,000	(a) Internal	
Bills Payable	26,92,72,000	(b) External	
Other Liabilities	68,92,67,000	(c) Government Treasury Bills	61,57,39,000
		Balances Held Abroad*	8,98,93,000
Rupees	568,09,42,000	Loans and Advances to Governments**	60,12,08,000
		Loans and Advances to :—	
		(i) Scheduled Banks†	30,23,30,000
		(ii) State Co-operative Banks†	111,23,95,000
		(iii) Others	1,90,20,000
		Investments	198,83,25,000
		Other Assets	36,52,99,000
			568,09,42,000

*Includes Cash and Short-term Securities.

**Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 27,75,56,000 advanced to scheduled banks against usance bills under Section 17(4) (c) of the Reserve Bank of India Act.

Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 24th day of April, 1963.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 19th day of April, 1963
 ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	19,75,56,000		Gold Coin and Bullion :—		
Notes in circulation	<u>2317,22,03,000</u>		(i) Held in India	117,76,10,000	
Total Notes issued	<u>2336,97,59,000</u>		(b) Held outside India	..	
TOTAL LIABILITIES	<u>2336,97,59,000</u>		Foreign Securities	<u>105,08,43,000</u>	
			TOTAL		222,84,53,000
			Rupee Coin		117,70,91,000
			Government of India Rupee Securities		1996,42,15,000
			Internal Bills of Exchange and other commercial paper		..

Dated the 24th day of April, 1963.

P. C. BHATTACHARYYA,
 Governor.

[No. F. 3(2)-BC/63.]
 A. BAKSI, Jt. Secy.

(Department of Revenue)

INCOME-TAX ESTABLISHMENTS

New Delhi, the 25th April 1963

S.O. 1232.—In pursuance of clause (b) of Sub-rule (ii) of rule 2 of the Appellate Tribunal Rules, 1946, the Central Government has been pleased to appoint the following Income-tax Officers, Class II, as Junior Authorised Representative, Income-tax Appellate Tribunal, at the places and with effect from the dates mentioned against their names, to appear, plead and act for any Income-tax authority who is a party to any proceedings before the Income-tax Appellate Tribunal.

Sl. No.	Name	Date from which appointed	Place where posted as Junior Au'horised Re- presentative
1.	Shri O. C. Tandon, Income-Tax Officer, Class II, Delhi.	3-4-1963 (A.N.)	Delhi.
2.	Shri B. R. Prakash, Income-tax Officer, Class II, Delhi.	15-4-1963 (A.N.)	Delhi.
3.	Shri G. R. Taishete, Income-tax Officer, Class II, Bombay City.	8-4-1963	Bombay.

[No. 31.]

M. G. THOMAS, Under Secy.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, PATNA

Patna, the 18th April, 1963

S.O. 1233.—In pursuance of rule 85 of the Central Excise Rules, 1944, I hereby empower the Chemical Examiner and the Assistant Chemical Examiner Chemical Laboratory, Customs House, Calcutta to determine the sucrose content of sugar in cases of dispute.

[No. 2/CX/MP/63.]

A. R. SHANMIGAM,
Collector.

CENTRAL EXCISE COLLECTORATE, BARODA

CUSTOMS

Baroda, the 1st February, 1963

S.O. 1234.—I, G. Koruthu, Collector of Customs, Baroda hereby empower officers of customs mentioned in column 2 of the table below to exercise powers specified in the section of the Customs Act, 1962, mentioned in the corresponding entry in column 1 of the said table:

	(1)	(2)
Sec. 101 and 107		All officers of customs except Clerks and Class IV officers.
Sec. 104		All officers of customs of and above the rank of Inspectors of Central Excise.

[No. VIII/1-2/Cus/63.]

S.O. 1235.—I, G. Koruthu, Collector of Customs, Baroda hereby assign the powers specified in sections of the Customs Act, 1962, mentioned in column 1 of the table below to officers of customs specified in the corresponding entry in column 2 of the said table:

(1)	(2)
Sec. 100, 106 and 110	All officers of Customs.
cc. 103	All officers of Customs, except clerks and Class IV officers.

[No. VIII/1-2/Cus/63.]

G. KORUTHU,
Collector.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 15th April, 1963

S.O. 1236.—In exercise of the powers conferred by Section 7 of the Central Silk Board Act, 1948, the Central Government has been pleased to appoint Shri S. R. Ullal, Deputy Secretary (Technical), as Secretary, Central Silk Board with effect from the 24th October, 1962, until further orders.

[No. 22(6)/63-H.S.(2).]

R. KALYANASUNDARAM, Under Secy.

Bombay, the 21st March, 1963

S.O. 1237.—In exercise of the powers conferred on me by clause 20 of the Cotton Control Order, 1955, and with the previous sanction of the Central Government, I, R. Doraiswamy, Textile Commissioner, hereby direct that the following further amendment shall be made in S.R.O. 1104, dated the 28th April, 1956, namely:—

In the said notification, in the Schedule annexed hereto,

I. After Serial No. 3, the following shall be added, namely:—

“(4) Cotton Adviser, Office of the Textile Commissioner, Bombay”—
4 and 18.

II. In serial No. 1A in column 2, the following shall be added, namely:—

“(2) Deputy Director (Cotton), Office of the Textile Commissioner, Bombay”.

Sd./- R. DORAI SWAMY,
Textile Commissioner.

[No. 24(6)-Tex(A)/63.]

M. S. BAWA, Under Secy.

New Delhi, the 25th April, 1963

S.O. 1238.—In exercise of the powers conferred by sub-section (1) of section 10 of the Indian Standards Institution (Certification Marks) Act, 1952 (36 of 1952), read with rule 13 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Central Government, in consultation with the Indian Standards Institution hereby directs that any powers exercisable by the said Institution under clause (e) of section 3 of the said Act, shall also be exercisable by the Fisheries Development Adviser in respect of sea foods and fisheries products produced or manufactured in India.

[No. 23(18)-TMP/63.]

HARGUNDAS, Under Secy.

New Delhi, the 27th April 1963

S.O. 1239.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Junior Field Officers and Investigators (Small Scale Industries Organisation) Recruitment Rules, 1962, published with the Notification of the Government of India in the Ministry of Commerce and Industry No. S.O. 2966 dated the 18th September, 1962, namely:—

1. These rules may be called the Junior Field Officers and Investigators (Small Scale Industries Organisation) Recruitment (Amendment) Rules, 1963.

2. They shall be deemed to have come into force on the 18th September, 1962.

3. In the Junior Field Officers and Investigators (Small Scale Industries Organisation) Recruitment Rules, 1962, the Column 11 of each of the Schedules I to III annexed thereto, against the post of Junior Field Officer for the words and brackets:

"By promotion of Investigators with five years service in the grade (including probationary period)" wherever they occur the following shall be substituted, namely:—

"By promotion of Investigators with three years service in the grade (including probationary period)".

[No. F. 3-SSI(C)(14)/62.]

V. C. NAIDU, Under Secy.

New Delhi, the 27th April 1963

S.O. 1240.—In exercise of the powers conferred by section 10 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956), read with rules 13 and 14 of the Khadi and Village Industries Commission Rules, 1957, the Central Government hereby appoints each of the persons mentioned in column 2 of the table below as member of the Khadi and Village Industries Board upto the end of March, 1966, with effect from the date specified against his name in the corresponding entry in column 3 of the said table:—

TABLE

Serial No.	Name	Date
1	2	3
1	Shri U.N. Dhebar	I-4-1963
2	Shri K. Arunachalam	6-5-1963
3	Shri Pranlal Sunderji Kapadia	I-4-1963
4	Shri Dhwaja Prasad Sahu	I-4-1963
5	Shri Dwarkanath V. Lele	I-4-1963
6	Chairman, Andhra Pradesh Khadi and Village Industries Board, Hyderabad	I-5-1963
7	Chairman, Assam Khadi and Village Industries Board, Gaughati	I-5-1963
8	President, Bihar Khadi and Village Industries Board, Patna	I-5-1963
9	Chairman, Gujarat Khadi and Village Industries Board, Ahmedabad	I-5-1963
10	Chairman, Kerala Khadi and Village Industries Board, Trivandrum	I-5-1963
11	Chairman, Madhya Pradesh Khadi and Village Industries Board, Nizatpur, Ujjain	I-5-1963
12	President Madras Khadi and Village Industries Board, Madras	I-5-1963
13	Chairman, Maharashtra Khadi and Village Industries Board, Bombay	I-5-1963
14	Chairman, Mysore Khadi and Village Industries Board, Bangalore	I-5-1963
15	President, Orissa Khadi and Village Industries Board, Bhubaneswar-2	I-5-1963
16	Chairman, Punjab Khadi and Village Industries Board, Chandigarh	I-5-1963
17	Chairman, Rajasthan Khadi and Village Industries Board, Jaipur	I-5-1963
18	Chairman, Uttar Pradesh Khadi and Village Industries Board, Kanpur	I-5-1963
19	Chairman, West Bengal Khadi and Village Industries Board, Calcutta-13	I-5-1963
20	Shri Vaikunth L. Mehta, Sir Lallubhai Park, Samaldas Road, Andheri (West), Bombay-58	I-4-1963
21	Shri A.W. Sahsrabudhe, C/o Sarva Seva Sangh, Sevagram, Wardha	I-4-1963
22	Shri V.V. Jerajani, Naval Niwas, Vile Parle (West), Bombay-57	I-4-1963

23	Shri Vichitra Narain Sharma, Bungalow No. 3, La Place, Shahnazaf Road, Lucknow	I-4-1963
24	Shri Jhaverbhai P. Patel, 28, Mandi House, New Delhi	I-4-1963
25	Shri Krishnadas Gandhi, Harijan Ashram, Ahmedabad-13	I-4-1963
26	Shri R. Srinivasan, Secretary Standing Committee, of Rural Industrialisation Planning Committee, Planning Commission, New Delhi	I-4-1963
27	Shri Akshaya Kumar Karan, Gandhi Ashram, Sevapuri, Varanasi	I-4-1963
28	Shri Purushottam Kanji, Gilbert Building, Babulnath, Hind Cross Lane, Chowpatty, Bombay-7	I-5-1963
29	Shri Mallappa Kollur, All India Wool Industrial Co-operative Syndicate, No. 3, Sheshadri Road, Bangalore-9	I-5-1963
30	Shri Gokulbhai Bhatt, Shastri Sadan, Khejade-ka-Rasta, Chandpole, Jai-pur	I-4-1963
31	Shri Ananda Prasad Choudhury, 86-A, Acharya Jagdish Chandra Bose Road, Calcutta-14	I-4-1963
32	Shri Devendra Kumar Gupta, Sarvodaya Shikshan Samiti, Machala, P.O. Kasturbagram, Indore	I-5-1963
33	Shri Mali Mariappa, Advocate, Madhugiri, Tumkur Distt. (Mysore)	I-5-1963
34	Shri R.K. Patil, Warora, Distt. Chanda, (Maharashtra)	I-4-1963
35	Shri Somdutt Vidyalankar, Khadi Ashram, Panipat	I-5-1963
36	Shrimati Malti Devi Choudhary, Bajraut Chatravas, Angul, District Dhen-kanal (Orissa)	I-5-1963
37	Bibi Amitus Salam, Secretary, Kasturba Seva Mandir Rajpura	I-5-1963
38	Dr. Nripendra Bose, C/o Khadi Pratisthan, P.O. Sodepur District 24-Parganas (West Bengal).	I-5-1963
39	Smt. Maniben Patel, Vice-President, Gujarat Pradesh Congress Committee, Ahmedabad	I-5-1963
40	Swami Ramanand Tirth, Chairman, Hyderabad Khadi Samiti, Hyderabad	I-5-1963
41	Shri K.N. Pandeya, 533/30, Gandhi Nagar, Delhi-31	I-5-1963

[(No. 41/4/62-K.V. I(P.)]

A. VISVANATH, Dy. Secy.

CORRIGENDUM*New Delhi, the 26th April, 1963*

S.O. 1241.—In the notification of the Government of India in the Ministry of Commerce and Industry No. SMC-15(13)/58, dated the 15th February, 1963, published as S.O. 543 on pages 644 and 645 of the Gazette of India, Part II, section 3(ii), dated the 2nd March, 1963,—

(i) under item 1, "Secondary units in relation to metre",

(a) in the entries relating to Micron, Centimetre and Decimetre—

For "metres"

Read "metre"

(b) in the entry relating to Millimetre—

—3

For "17" ,,

—3

Read "10" ,,

(ii) Under item 2, "Secondary units in relation to square metre",

in the entries relating to Square millimetre, Square centimetre and Square decimetre—

For "Square metres"

Read "Square metre"

(iii) Under item 3, "Secondary units in relation to cubic metre",
 in the entries relating to Cubic millimetre, Cubic centimetre and Cubic decimetre—
 For "Cubic metres"
 Read "Cubic metre"

(iv) Under item 4, "Secondary units in relation to the kilogram",
 in the entries relating to Microgram, Milligram and Centigram—
 For "Kilograms"
 Read "Kilogram"

[SMC-15(13)/58.]

P. N. NAYAR,
 Secy. Standing Metric Committee.

TEA CONTROL

New Delhi, the 27th April 1963

S.O. 1242.—In exercise of the powers conferred by section 4 of the Tea Act, 1953 (29 of 1953), read with rules 4 and 5 of the Tea Rules, 1954, the Central Government hereby appoints the following persons also as members of the Tea Board until the 31st March 1966, namely:—

1. Shrimati Akkamma Devi;
2. Shri Hemen P. Barooah;

and makes the following amendment in the notification of the Government of India in the Ministry of Commerce and Industry No. S.O. 1151 dated the 20th April 1963, namely:—

In the said notification, after entry 34, the following entries shall be inserted, namely:—

"34A. Shrimati Akkamma Devi, M.P., Hubbathalai P.O., Aruvankadu, Nilgiris. 34B. Shri Hemen P. Barooah, Jorhat, Assam.	}	Representing consumers and other interests".
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[No. 7(1)Plant(A)/62.]

B. KRISHNAMURTHY, Under Secy.

ORDER**IMPORT TRADE CONTROL**

New Delhi, the 27th April 1963

S.O. 1243/IECA/3/1/63.—In exercise of the powers conferred by section 3 of the Imports & Exports (Control) Act, 1947 (18 of 1947), as in force in India and as applied to the state of Pondicherry, the Central Government hereby makes the following Order further to amend the Imports (Control) Order, 1955, namely:—

1. **Short title.**—This order may be called the Imports (Control) sixth Amendment Order, 1963.
2. **Amendment of Schedule I.**—In part V of Schedule I to the Imports (Control) Order 1955, against S. No. 92, for the existing entry in column (2) the following entry shall be substituted namely:—

"Instruments, apparatus and appliances, including cinematographic other than electrical but excluding articles otherwise specified in the Schedule."

[No. 7/63.1]

M. L. GUPTA, Under Secy.

ORDER

EXPORT TRADE CONTROL

New Delhi, the 4th May 1963

S.O. 1244.—In exercise of the powers conferred by section 3 of the Imports and Exports (Control) Act, 1947 (18 of 1947), the Central Government hereby makes the following further amendments to the Exports (Control) Order, 1962, namely:—

In Part B of Schedule I to the said Order—

(i) for item 7, the following shall be substituted:—
“7. Bones and bone meal.”

(ii) for item 8, the following shall be substituted:—
“8. Hides and skins, raw, excluding cuttings, shavings, trimmings and fleshings.”

[No. E(C)O.1962/AM(26).]

MELA RAM BHARDWAJ, Under Secy.

(Office of the Deputy Chief Controller of Imports & Exports)

(Central Licensing Area)

ORDER

New Delhi, the 6th April, 1963.

S.O. 1245.—Whereas M/s. Sohan Lal s/o L. Kanshi Ram, Fruit Merchants, Sadar Bazar, Bhatinda, had obtained a licence No. E. 328282/61/EI/CCI/D, dated 7th August, 1962, for Rs. 5,000 for import of Fresh Fruits from Pakistan from the Deputy Chief Controller of Imports and Exports, Central Licensing Area, New Delhi, by misrepresentation.

Whereas the Deputy Chief Controller of Imports and Exports, issued Notice No. Genl/266/AM-63/Pol/CLA/855, dated 4th December, 1962, to the licensee calling upon them to show cause against the cancellation of the said licence under clause 9 of the Imports (Control) Order, 1955.

Whereas M/s. Sohan Lal s/o. L. Kanshi Ram, Bhatinda have not furnished any sufficient ground or cause against the Notice of the cancellation of the licence in question.

Whereas M/s. Sohan Lal s/o. L. Kanshi Ram, Bhatinda, have already utilised the said licence to the extent of Rs. 2,500.

Now, therefore, in exercise of the powers conferred by clause 9 of the Imports (Control) Order, 1955, the Deputy Chief Controller of Imports and Exports, Central Licensing Area, New Delhi, hereby renders the said licence No. E-328282/61/EI/CCI/D, dated 7th August, 1962, ineffective to the extent of Rs. 2,500, and in pursuance of this order, the said licence shall not be valid for the import of any goods for an amount upto Rs. 2,500.

[No. Genl/266/AM-63/Pol/CLA.]

S.O. 1246.—Whereas M/s. Vashist Nath Ramgopal, Ban Bazar, Ferozepur City had obtained a licence No. E-328294/61/EI/CCI/D, dated 7th August, 1962, for Rs. 5,000 for import of Fresh Fruits from Pakistan from the Deputy Chief Controller of Imports and Exports, Central Licensing Area, New Delhi, by misrepresentation.

Whereas the Deputy Chief Controller of imports and Exports, issued Notice No. Genl/266/AM-63/Pol/CLA/856, dated 4th December, 1962, to the licensee calling upon them to show cause against the cancellation of the said licence under clause 9 of the Imports (Control) Order, 1955.

Whereas M/s. Vashist Nath Ramgopal, Ban Bazar, Ferozepur City, have not furnished any sufficient ground or cause against the Notice of the cancellation of the licence in question.

Whereas M/s. Vashist Nath Ramgopal, Ban Bazar, Ferozepur City, have already utilised the said licence to the extent of Rs. 2,500.

Now, therefore, in exercise of the powers conferred by clause 9 of the Imports (Control) Order, 1955, the Deputy Chief Controller of Imports and Exports, Central Licensing Area, New Delhi, hereby renders the said licence No. E-328294/61/EI/CCI/D, dated 7th August, 1962, ineffective to the extent of Rs. 2,500, and in pursuance of this order, the said licence shall not be valid for the import of any goods for an amount upto Rs. 2,500.

[No. Genl/286/AM-63/Pol/CLA.]

RAM MURTI SHARMA,
Dy. Chief Controller of Imports and Exports.

(Office of the Jt. Chief Controller of Imports & Exports)

NOTICES

Bombay, the 26th February, 1963.

S.O. 1247.—It is hereby notified that in exercise of the powers conferred by Clause 9(a) of the Imports (Control) Order, 1955, the Government of India, in the Ministry of Commerce and Industry propose to treat as ab-initio-void licence No. E. 176701, dated 9th May, 1962, valued at Rs. 20,143, for import of Motor Vehicle Parts from General Area except South and South West Africa, which has been obtained from the Jt. Chief Controller of Imports and Exports, Bombay, by M/s. Prima Auto Trade Agencies, 83, Nagdevi Street, Bombay-3, fraudulently on the basis of forged Quota Certificate, unless sufficient cause against this is furnished to the Dy. Chief Controller of Imports and Exports, Bombay within ten days of the receipt of this Notice by the said M/s. Prima Auto Trade Agencies, Bombay or any other party or any Bank who may be interested in it.

[No. 1/389/62/CDN. II.]

S.O. 1248.—It is hereby notified that in exercise of the powers conferred by Clause 9(a) of the Imports (Control) Order 1955, the Government of India, in the Ministry of Commerce and Industry propose to treat as ab-initio-void the following licences which have been obtained from the Jt. Chief Controller of Imports and Exports, Bombay by M/s. Inter Continental Traders, Khushal House, Nagdevi Street, Bombay-3, fraudulently by presenting a forged Quota Certificate, unless sufficient cause against this, is furnished to the Dy. Chief Controller of Imports and Exports, Bombay within ten days of the date of issue of this Notice by the said M/s. Inter Continental Traders, Bombay or any Bank or any other party who may be interested in them:—

S. No.	Licence No. and Date.	Description of goods.	S. No. & Part.	Value	Area
1.	E. 176687 dt. 9-5-'62.	Motor Vehicle Parts.	293-95-97-IV.	Rs. 14,595/-	G.A.
2.	E. 865422 25-8-'62.	-do-	-do-	Rs. 9,730/-	-do-
3.	E. 160593 dt. 9-1-'62.	-do-	-do-	Rs. 19,460/-	-do-

[No. 1/373/62/CDN. II.]

R. R. KIRPALANI,
Dy. Chief Controller of Imports and Exports,
Bombay.

(Department of Company Law Administration)

New Delhi, the 24th April, 1963.

S.O. 1249.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 448 of the Companies Act, 1956 (I of 1956) the Central Government have been pleased to decide that even after his appointment as Civil Judge, Jodhpur with effect from 15th April, 1963 Shri Bhanu Pradesha Sharma R.J.S. would continue to be the ex-officio Official Liquidator, Rajasthan High Court until further orders.

[7(15)-Admn. II/63.]

P. B. SAHARYA, Under Secy.

MINISTRY OF STEEL AND HEAVY INDUSTRIES

(Department of Heavy Industries)

ORDER

New Delhi, the 22nd April 1963

S.O. 1250.—IDRA/18G/63.—In exercise of the powers conferred by Section 18-G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order further to amend the Cement Control Order, 1961, namely:—

1. This Order may be called the Cement Control (Fourth Amendment) Order, 1963.
2. In the Cement Control Order 1961, in the Table below paragraph (C) of the Schedule, after Serial No. 2, the following shall be added, namely:—

Name of producer	Additional amount per metric tonne	Date from which the additional amount may be charged.
"3. M/s. Saurashtra Cement & Chemical Industries Ltd., Ranavav (Gujarat).	Rs. 6.00	14th March 1963."

[No. 8-34/62-Cem.]

P. R. NAYAK, Under Secy.

MINISTRY OF MINES AND FUEL

New Delhi, the 27th April 1963

S.O. 1251.—Whereas by the Notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 3523, dated the 12th November, 1962, under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire certain lands and mining rights in the locality specified in the Schedule appended to that Notification;

And whereas no objection was made to the acquisition of the lands and mining rights in the locality aforesaid;

And whereas the Central Government after consulting the State Government of Madhya Pradesh, is satisfied that—

- (a) the lands measuring 240.00 acres or 97.20 hectares described in Schedule A appended hereto; and
- (b) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 1760.00 acres or 712.80 hectares described in Schedule B appended hereto;

should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the land

measuring 240.00 acres or 97.20 hectares described in the said Schedule A and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the land measuring 1760.00 acres or 712.80 hectares described in the said Schedule B are hereby acquired.

The plan of the area covered by the Notification may be inspected in the office of the Collector, Surguja (M.P.) or in the office of the Coal Controller, 1, Council House Street, Calcutta, or in the office of the National Coal Development Corporation Ltd., (Revenue Section), "Darbhanga House", Ranchi.

[Drg. No. Rev./12/63.]
Dated 23-1-63.

SCHEDULE "A"

Block—I

All Right

Sl. No.	Village	Tahsil	Tahsil No.	District	Area in acres and hectares	Remarks
1	Katkona	Baikunthput	.	Surguja	Part
2	Reserve Forest				,,	Part
TOTAL AREA					240.00 Acres (Approx) or 97.20 hectares (Approx)	

Plot Nos. acquired in village Katkona --

1(P), 55(P), 56(P), 57(P), 58(P), 59, 60(P), 184(P), 185(P), 186 to 189, 190(P), 191, 220,
231(P).

Part of Reserved Forest.

BOUNDARY DESCRIPTION

A-B line passes along the part common boundary of village Katkona and Reserved forest.

B-C-D line passes through Plot Nos. 1 and 57 in village Katkona.

D-E line passes through Plot Nos. 57 in village Katkona and Reserved Forest.

E-F line passes through Reserved forest.

F-G line passes through Reserved forest and Plot No. 231, part Northern boundary of Plot No. 229, through Plot No. 190 and along the Western boundary of Plot No. 224, in village Katkona.

G-H line passes through Plot No. 190, along the Northern boundary of Plot No. 218 again through Plot No. 190 and along the Northern boundary of Plot No. 192 in village Katkona.

H-I line passes along the Southern boundary of Plot No. 191 through Plot Nos. 190, 185, 184, 57, 60 along Southern boundary of Plot No. 59, through Plot Nos. 57, 55, 56 and 1 in village Katkona.

I-J line passes through Plot Nos. 1, 56, 57, 58 in village Katkona.

J-K-L-M line passes through Plot No. 1 in village Katkona.

M-N-A line passes through Plot No. 1 in village Katkona.

[Drg. No. Rev./12/63.]
Dated 23-1-63.

SCHEDULE 'B'

Block—I

"Mining Right"

(Showing lands where rights to mine, quarry, bore, dig and search for, win work and carry away minerals are to be acquired).

Sl. No.	Village	Tahsil	Tahsil No.	District	Area in acres & hectares	Remarks
1	Katkona	Baikunthput	.	Surguja		Part
2	Reserve Forest				,,	Part
TOTAL AREA					1734.75 acres (Approx) or 702.57 hectares (Approx)	

Plots Nos. acquired in village Katkona :-

1(P), 57(P), 190(P), 192(P), 193(P), 209(P), 210(P), 212(P), 213(P), 214(P), 215(P)
 216, 217, 218, 219, 220, 221(P), 222 to 229, 231(P), 232 to 261, 262/1(P), 262/2, 263,
 264(P), 265 to 268, 269(P), 270, 271(P), 272(P), 323.

Part Reserved Forest.

BOUNDARY DESCRIPTION:

N-O-P-Q-R-S-T line passes through Plot No. 1 in village Katkona and through Reserved forest.

T-H line passes through Plot Nos. 269, 271, 272, 284, 262/1, 209, 210, 221, 213, 212, 215, 193, 192, in village Katkona.

H-G line passes along the Southern boundary of Plot No. 191, Northern boundary of Plot No. 192, through Plot No. 190 along Northern boundary of Plot No. 218 and through Plot No. 190 in village Katkona.

G-F line passes along the Western boundary of Plot No. 224, through Plot No. 190 along the part Northern boundary of Plot No. 229 and through Plot No. 231 in village Katkona and through reserved forest.

F-E-D line passes through Reserved forest and Plot No. 1 in village Katkona.

D-C-B line passes through Plot Nos. 57 and in village Katkona.

B-A line is the part common boundary of village Katkona and reserved forest.

A-N line passes through Plot No. 1 in village Katkona.

SCHEDULE**Block-II***"Mining Right"*

Sl. No.	Village	Tahsil	Tahsil No.	District	Area in acres & hectares	Remarks
1	Katkona	Baikunthpur		Surguja		Part
			Total Area :		25.25 acres or 10.23 hectares	(Approx) (Approx)

Plot Nos. acquired in village Katkone:-

1(P), 56(P), 57(P), 58(P).

BOUNDARY DESCRIPTION:

I-J line passes through Plot Nos. 1, 56, 57, 58 in village Katkona.

J-K-L-M line passes through Plot Nos. 57 and 1 in village Katkona.

M-I line passes through Plot No. 1 in village Katkona.

[No. F. C2-22(5)/59.]

ERRATA

New Delhi, the 20th April 1963

S.O. 1252.—In the notification of the Government of India, in the Ministry of Mines and Fuel, S.O. No. 596 dated the 23rd February, 1963, published in Part II, Section 3 Sub-Section (ii) of the Gazette of India dated the 9th March 1963, at page 704—

In the thirty-fifth line for 'D' read 'DE' and for 'Kararsali' read 'Kamarsali'; and in the thirty-seventh line for 'Kararsali' read 'Kamarsali'.

[No. C2-20(3)/62.]

New Delhi, the 26th April 1963

S.O. 1253.—In the notification of the Government of India, in the late Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) S.O. No. 1691, dated the 15th July, 1961, published in Part II, Section 3 sub-section (ii) of the Gazette of India, dated the 22nd July, 1961, at page 1644 in the third line, for "14th" read "28th".

[No. F. C2-22(5)/59.]

P. S. KRISHNAN, Under Secy.

MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Transport)

(Transport Wing)

New Delhi, the 24th April, 1963

S.O. 1254.—In exercise of the powers conferred by Sub-Section (1) of Section 63A of the Motor Vehicles Act, 1939, the Central Government hereby appoints Dr. F. P. Antia, President, Indian Roads and Transport Development Association Ltd., Bombay, as a member of the Inter-State Transport Commission, in place of Shri B. V. Vagh, who has ceased to be a member consequent to his demise, for a period of three years with effect from the date of issue of this notification and makes the following further amendment in the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) No. 11-ISTC(I)/58, dated the 14th August, 1958, namely:—

In the said notification, for item (iii) and (iv) under the heading "(b) Members", the following items shall be substituted, namely:—

"(iii) Shri J. B. Rao, Additional Member (Commercial), Ministry of Railways (Railway Board).

(iv) Dr. F. P. Antia, President, Indian Roads and Transport Development Association, Bombay".

[No. 1-T(28)-II/58.]

K. SRINIVASAN, Dy. Secy.

ERRATUM

In Ministry of Transport and Communications (P. & T. Board) Notification No. 31/5/63—PHB, dated 1st April, 1963, published in the Gazette of India, Part II—Section 3(ii), dated 13th April, 1963, as S.O. 1064, the following correction is to be made:—

Page 1135, 3rd line of the notification,—

for "1st May, 1960"

read "1st May, 1963".

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

New Delhi, the 22nd April 1963

S.O. 1255.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the posts of the Director and the Deputy Director of Animal Husbandry in the Animal Husbandry Department of Himachal Pradesh Administration, namely:—

1. Short title.—These rules may be called the Himachal Pradesh Animal Husbandry Department (Class I Posts) Recruitment Rules, 1963.

2. Application.—These rules shall apply to the posts of Director of Animal Husbandry and Deputy Director of Animal Husbandry in the Animal Husbandry Department of the Himachal Pradesh Administration.

3. Number of posts, classification and scale of pay.—The number of the said posts, its classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the Schedule hereto annexed.

4. Method of recruitment, age limit and other qualifications etc.—The method of recruitment to the posts aforesaid, age limit, qualifications, and other matters relating thereto, shall be as specified in columns 5 to 13 of the said Schedule :

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to Schedule Castes, Schedule Tribes, displaced persons and other special categories of persons in accordance with the orders issued from time to time by the Government of India.

5. Disqualification.—(a) No person who has more than one wife living or who has a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to any of the said posts.

(b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to any of the said posts :

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

SCHEDULE

Recruitment rules for the posts of director of Animal Husbandry and Deputy Director of

Name of post	No. of posts	Classification	Scale of pay	Whether selection for direct post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
1. Director of Animal Husbandry.	1	General Central Service Class I	Rs. 630—40— 750/40— 950/50— 1200.	Selection	40 years and below (relaxable for Government servants)	<i>Essential:</i> (i) Degree or Diploma in Veterinary Science of a recognised University/Institution. (ii) Post graduate training in Animal Husbandry. (iii) About 5 years' experience in a responsible capacity in an Animal Husbandry Department. (Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified). <i>Desirable:</i> (i) Should be able to undertake extensive touring in the hills. (ii) Should be conversant with the general Animal Husbandry problems of the hills. (iii) Training in Sheep Husbandry.
2. Deputy Director of Animal Husbandry	1	General Central Service Class I.	Rs. 350—40— 630—40— 870.	Not applicable	35 years and below (relaxable for Government servants)	<i>Essential</i> (i) Degree or Diploma in Veterinary Science of a recognised University/Institution. (ii) Post graduate training in Animal Husbandry. (iii) About three years' experience of Animal Husbandry work.

Animal Husbandry, Himachal Pradesh Administration.

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of Promotees	Period of probation, if any	Method of recruitment whether by direct recruitment or by promotion or transfer	In case of recruitment by promotion/transfer, grades from which promotion to be made	If a Departmental Promotion Committee exists what is its composition	Circumstances in which U.P. S.C. is to be consulted in making recruitment
---	-----------------------------	---	--	--	---

No	8	9	10	11	12	13
	Two years	By promotion failing which by transfer on deputation and failing both by direct recruitment. [F.I.D.]	<i>Promotion</i> Deputy Director of Animal Husbandry with five years' service in the grade. <i>Transfer on Deputation</i> Suitable officers of Central Government or of State Governments holding Class I or equivalent post. (Period of deputation not exceeding 5 years)	Class I Departmental Promotion Committee.	As required under the rules.	
Not applicable.	Two years	Direct recruitment.	Not applicable.	Not applicable	As required under the rules.	

1

2

3

4

5

6

7

(Qualifications relatable at Commission's discretion in case of candidates otherwise well qualified).

Desirable]

- (i) Experience of work in hilly areas.
- (ii) Administrative experience.

8

9

10

11

12

13

[No. 18-12/62-U.T.]

S. P. MOHONI, Under Secy.

MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS

ARCHAEOLOGY

New Delhi, the 22nd April 1963.

S.O.1256.—In pursuance of section 36 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby makes the following corrections in the notification of the Government of India in the Ministry of Education No. F. 4-1/52A. 2, dated 26th March, 1952, namely :—

In the Schedule to the said notification, for Serial No. 2 and the entries relating thereto viz.

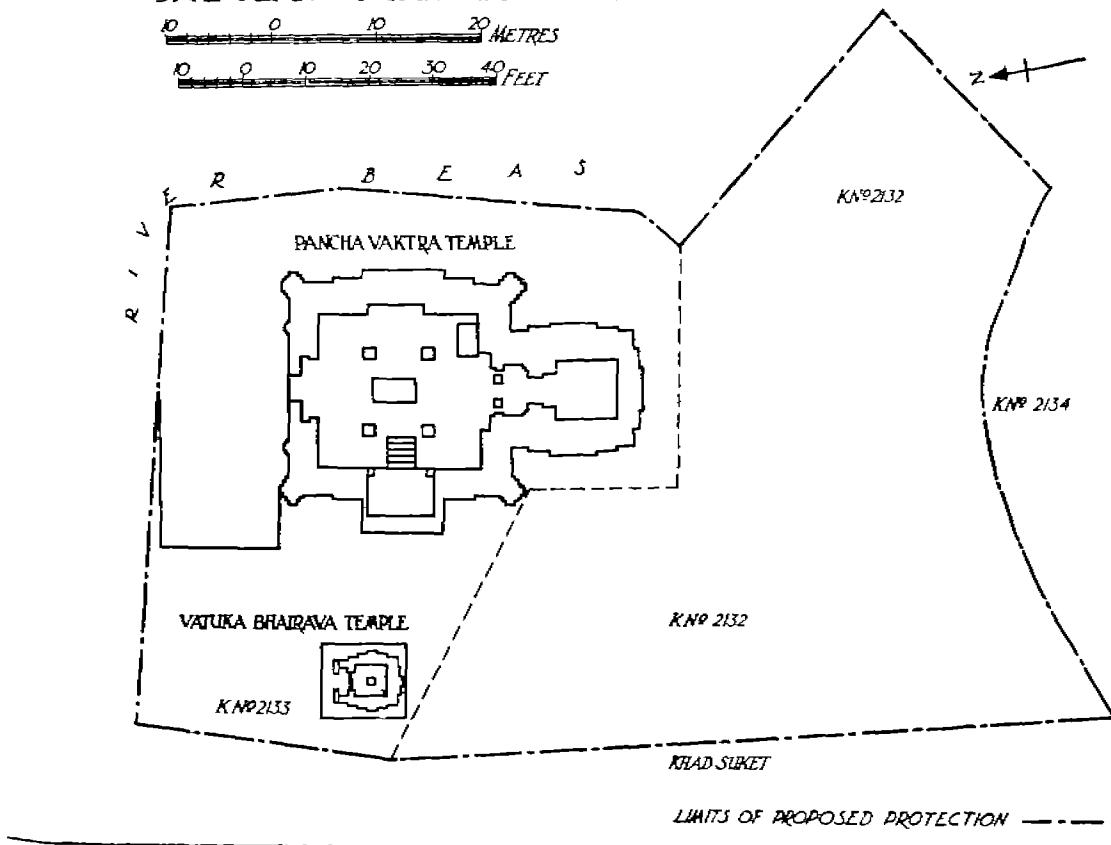
Serial No.	District	Locality	Name of monument	Khasra No.	Area	Owner or Owners	Boundaries
1	2	3	4	5	6	7	8
2	Mandi	On the left bank of the river Beas where Suketi Khad also meets.	Panchvaktra temple	2133	6007 Sq. ft.	Government	East :—River Beas West :—Sikh Bhadra temple South :—Suketi Khad North :—Beas River and Suketi Khad meet.

the following shall be substituted namely :—

State	District	Tahsil	Locality	Name of monument	Revenue plot numbers to be included under protection.	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10
Himachal Pradesh	Mandi	Mandi	Mandi	Panchvaktra temple together with adjacent land comprised in Survey plot No. 2133 and part of Survey plot No. 2132.	Whole of Survey plot No. 2133 and part of Survey plot No. 2132 as shown in the plan reproduced below.	1851 Sq. Yds. & 1 Sq. Foot.	North : River Beas East : River Beas South : Survey plot No. 2134 & remaining portion of Survey plot No. 2132. West : Khad Suket.	Government	The temple in religious worship.

SITE PLAN OF PANCHĀ VAKTRĀ TEMPLE, MANDI.

10 0 10 20 METRES
 10 0 10 20 30 40 FEET



[No. F.4-21/62-C. I.]
 S. J. NARSIAN,
 Asstt. Educational Adviser.

MINISTRY OF WORKS, HOUSING AND REHABILITATION

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 22nd April 1963

S.O.1257.—Whereas the Central Government is of the opinion that it is necessary to acquire the Evacuee Properties specified in the Schedule hereto annexed in the State of Madhya Pradesh for public purpose, being a purpose connected with the relief and rehabilitation of Displaced Persons including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, it is notified that the Central Government had decided to acquire and hereby acquires the Evacuee Properties specified in the Schedule here annexed.

SCHEDULE

Sl. No.	Particulars of the property	Name of the town and locality in which the property is situated	Name of the evicuee with per- centage
1	House No. Nil	Behind Meat Market, Morar	Shri Masum Ali son of not known.
2	House No. Nil	Anna Maharaj Ka Mandir, Nimbalkar Ki Goth, Lashkar.	Shri Rahim Nalband son of not known.
3	House No. 7/65(old)	Tara Ganj, Lashkar	Shri Hussan son of Kasem
4	House No. 529/1 (old)	Siras pura, Basoda	Shri Badullah Khan son of Faizullah and Jenneb Bai widow of Abdul Kadir.
5	House No. Nil	Bhorislapura, Basoda	Shrimati Amina wife of Ayub Khan and Ayub Khan son of Abbas Khan.
6	House No. 5 (old)	Ganj Mohalla, Kurwai	Shri Munir Khan son of Ghasi Khan.

[No. 13(3)/Comp. & Prop./61.]

New Delhi, the 26th April 1963

S.O. 1258.—Whereas the Central Government is of opinion that it is necessary to acquire the evicuee properties specified in the schedule below in the State of Punjab for a public purpose, being a purpose connected with Relief and Rehabilitation of Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954) it is notified that the Central Government has decided to acquire, and hereby acquires the evicuee properties specified in the schedule below.

THE SCHEDULE

District Simla

S. No.	Particulars of the Evacuee Property.	Name of the towns & locality/village in which the pro- perty is situated.	Name of the evicuee owner
1	2	3	4
I.	I46-I48 Lower Bazar, Simla.	Simla	Trust of Late Mst. Janto- beneficiary, Shri Nazar Mohd.

[No. 18(1)/Comp. & Prop/63.]

M. J. SRIVASTAVA,
Settlement Commissioner & Ex-Officio
Under Secy.

MINISTRY OF COMMUNITY DEVELOPMENT AND COOPERATION
(Department of Co-operation)

New Delhi, the 22nd April, 1963

S.O. 1259.—In exercise of the powers conferred by Section 5-B of the Multi-Unit Cooperative Societies Act, 1942, (6 of 1942) the Central Government hereby directs that all powers or authority exercisable by the Central Registrar of Cooperative Societies under the said Act shall also be exercisable by Shri N. S. Kulkarni, Divisional Joint Registrar of Cooperative Societies, Bombay Division, Bombay in respect of the Multi-Unit Cooperative Societies which are or are deemed to be actually registered in the State of Maharashtra.

[No. 3-17/62-CT.]

S. S. PURI, Dy. Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 23rd April 1963

S.O. 1260.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri C. Sudarsan Reddy to be an Inspector for the whole of the State of Andhra Pradesh for the purposes of the said Act or of any scheme framed thereunder, in relation to an establishment belonging to, or under the control of, the Central Government, or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. 20(46)63-PF-L.]

P. D. GAIHA, Under Secy.

New Delhi, the 23rd April 1963

S.O. 1261.—In pursuance of the provisions of regulation 18 of the Coal Mines Regulations, 1957, and in supersession of the Government of India in the Ministry of Labour and Employment, notification No. S.O. 3935, dated the 22nd December, 1962, the Central Government hereby approves the institutions mentioned in column I of the table below in respect of such degrees, diplomas or certificates awarded by them as are specified in the corresponding entry in Column II of the said table.

TABLE

I

II

Name of Institution	Degree, diploma or certificate awarded
INDIA	
1. Any university in India established by law . . .	Degree in Mining.
2. Bengal Engineering College Sibpore . . .	Diploma in Mining (issued upto 1929) &
3. Indian School of Mines and Applied Geology, Dhanbad.	Certificate in Coal-Mining (issued upto 1950-51) and Diploma of Associateship in Mining Engineering.
UNITED KINGDOM	
1. Armstrong College, New-Castle-on-Tyne . . .	Diploma in Mining.
2. Birmingham University	Degree of B.Sc. in Mining and Diploma in Mining.
3. Cambridge and Birmingham Universities . . .	Joint Coal Mining Diploma.
4. Durham University	Degree of B.Sc. in Mining.
5. Do. . . .	Honours Degree of B.Sc. in Mining.
6. Edinburgh University	Degree of B.Sc. and D.Sc. in Mining and Metallurgy.

I

II

7. Glasgow University	Degree of B.Sc. in Mining Engineering.
8. Do.	Certificate of Proficiency in Mining.
9. Heriot Watt College, Edinburgh	Certificate in Mining Engineering.
10. Heriot Watt College, Edinburgh	Diploma in Mining Engineering.
11. Leeds University	Degree of B.Sc. in Mining and Diploma in Mining.
12. London University	B.Sc. Degree in Mining for Internal Students, subject to the Degree being endorsed by the University with a certificate of four months' Practical experience in a mine.
13. Do.	Degree of B.Sc. in Mining for External Students.
14. Victoria University Manchester	Degree and Certificate in Mining.
15. Nottingham University College	Diploma of Mining Engineering.
16. Oxford and Birmingham Universities	Diploma in Coal Mining which is granted by the two Universities jointly.
17. Royal School of Mines	Associateship in Mining.
18. Sheffield University	Diploma in Mining.
19. Do.	Degree of Bachelor of Engineering (Mining).
20. University College of South Wales and Monmouthshire and the South Wales and Monmouthshire School of Mines.	Diploma which is granted by the two institutions (jointly).
21. University of Wales	Degree of B.Sc. in Mining Engineering.
22. Wigam Mining and Technical College	Diploma in Mining.

U.S.A.

1. California University	Degree of Mining Engineering.
2. Carnegie Institute of Technology, Pittsburgh	Degree of Bachelor of Science in Mining Engineering.
3. Colorado School of Mines	Degree in Mining Engineering.
4. Columbia University, New York	Degree of Engineer of Mines.
5. Harvard University, Cambridge, Massachusetts	Diploma in Mining Engineering.
6. Leland Stanford Junior University, California	Degree of Bachelor of Arts in Geology and Mining.
7. Pittsburgh University	Degree of Engineer of Mines.

WEST GERMANY

Bergakademie Clausthal Diploma in Mining.

[No. 17/2/63-MI(i).]

New Delhi, the 24th April 1963

S.O. 1262.—In pursuance of clause (b) of Notification No. S.O. 2361, dated the 23rd July 1962, of the Government of India, in the Ministry of Labour and Employment, the Central Government hereby approves the degrees, diplomas, or Certificates mentioned in column I of the Table below as are awarded by the Institutions specified in the corresponding entry in column II of the said table.

TABLE

Degree, diploma or certificate awarded	Name of Institution
I	II
INDIA	
1. Degree in Mining	Any University in India established by law.
2. Diploma in Mining (issued upto 1929)	Bengal Engineering College, Sibpore.

3. Certificate in Coal Mining (issued upto 1950-51) and Indian School of Mines and Applied Geology, Dhanbad.
 Diploma of Associateship in Mining Engineering

UNITED KINGDOM

1. Diploma in Mining	Armstrong College, New-Castle-on-Tyne.
2. Degree of B.Sc. in Mining and Diploma in Mining	Birmingham University.
3. Joint Coal Mining Diploma	Cambridge and Birmingham Universities.
4. Degree of B.Sc. in Mining	Durham University.
5. Honours Degree of B.Sc. in Mining	Do.
6. Degree of B.Sc. and D.Sc. in Mining and Mining Metallurgy.	Edinburgh University.
7. Degree of B.Sc. in Mining Engineering	Glasgow University.
8. Certificate of Proficiency in Mining	Do.
9. Certificate in Mining Engineering.	Heriot Watt College, Edinburgh.
10. Diploma in Mining Engineering	Heriot Watt College, Edinburgh.
11. Degree of B.Sc. in Mining and Diploma in Mining	Leeds University.
12. B.Sc. Degree in Mining for Internal Students, subject to the Degree being endorsed by the University with a certificate of four months Practical experience in a mine.	London University.
13. Degree of B.Sc. in Mining for External students	London University.
14. Degree and Certificate in Mining	Victoria University Manchester.
15. Diploma of Mining Engineering	Nottingham University College.
16. Diploma in Coal Mining which is granted by the two Universities jointly.	Oxford and Birmingham Universities.
17. Associateship in Mining	Royal School of Mines.
18. Diploma in Mining	Sheffield University.
19. Degree of Bachelor of Engineering (Mining)	Do.
20. Diploma which is granted by the two institutions (jointly).	University College of South Wales and Monmouthshire and the South Wales and Monmouthshire School of Mines.
21. Degree or B.Sc. in Mining Engineering	University of Wales.
22. Diploma in Mining	Wigam Mining and Technic College.

U.S.A.

1. Degree of Mining Engineering	California University.
2. Degree of Bachelor of Science in Mining Engineering	Carnegie Institute of Technology, Pittsburgh.
3. Degree in Mining Engineering	Colorado School of Mines.
4. Degree of Engineer of Mines	Columbia University, New York
5. Diploma in Mining Engineering	Harvard University, Cambridge Massachusetts.
6. Degree of Bachelor of Arts in Geology and Mining.	Leland Stanford Junior University, California.
7. Degree of Engineer of Mines	Pittsburgh University.

WEST GERMANY

1. Diploma in Mining Bergakademie Clausthal.

[No. 17/2/63-MI (iii.)]

VIDYA PRAKASH,
Dy. Secy.

New Delhi, the 24th April 1963

S.O. 1263.—In exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the factories situated in the areas in the State of Assam mentioned in the Schedule appended to this notification, from payment of employer's special contribution leviable under Chapter V-A of the said Act till the enforcement of the provisions of Chapter V of that Act in those areas.

SCHEDULE

S. No.	Name of District	Name of the area	Name of the Factory
1	Cachar . . .	Cachar	State Electric Supply Power House, Naikandi.
		Karimganj	Assam Timbers, (Saw Mills).
		Silchar . .	Excelsior Engineering Works (P) Ltd.
2	Goalpara . . .	Basugaon	Basugaon Rice and Saw Mill.
		Kokrajhar . .	Bharatnagar Saw and Plywood Mills.
		Bilasipara . .	Bilasipara Veneer Unit.
3	Lakhimpur . . .	Saptaagram	Garodia Saw Mill.
		Doomdooma . .	Doom Dooma Saw Mills.
		Rangagora . .	Himalayan Plywood Industries.
4	Darrang . . .	Namrup . .	Bharat Wood Works (P) Ltd.
		Tezpur . .	R.M. Shan Saw Mill.
			Ashoka Saw Mill.
5	Kamrup . . .	Nalbari . .	Bishwakarma Saw Mill.
6	Nowrangpur . . .	Nowrangpur . .	Uma Press.
7	K. & J. Hills . . .	Shillong . .	Uma Shankar Saw Mill.
			Assam State Electricity Board.
			Meter Works, Short Round Road.

[No. F. 6. (77)/63-HI]
O. P. TALWAR
Under Secy.

New Delhi, the 24th April 1963

S.O. 1264.—Whereas the workmen employed on manual operations connected with sowing, harvesting, winnowing and irrigation in the Central Mechanised Farm, Suratgarh enjoy certain concessions regarding leave, etc., and the period of their daily employment also includes spells of inaction;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby directs that for a period of one year from the date of publication of this notification, the provisions of sub-section (1) of section 13 and section 14 of the said Act shall not apply to the workmen employed on manual operations connected with sowing, harvesting, winnowing and irrigation in the Central Mechanised Farm, Suratgarh, subject to the following conditions:—

- (1) The working day of an adult worker shall be so arranged that, inclusive of the intervals for rest, if any, it shall not spread over more than 12 hours on any day;
- (2) When the hours of effective work of a workman are more than 9 hours on any day or more than 48 hours in any week, he shall, in respect of such extra hours worked, be paid overtime at one and a half times his ordinary rate of wages;
- (3) a record of hours of effective work put in by each worker shall be kept by the management; and
- (4) the existing privileges of casual and earned leave and of continuity of employment on regular basis shall not be disturbed.

[No. LWI(I)5(6)/60.]

K. K. UPPAL, Under Secy.

New Delhi, the 24th April 1963

S.O. 1265.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the State Bank of Jaipur and their workmen.

BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS

*Friday, the fifth day of April, one thousand and nine hundred and sixty-three.
(15th day of Chaitra, 1885—Saka).*

PRESENT:

Sri P. N. Ramaswami, M.A., I.C.S.

INDUSTRIAL DISPUTE No. 57/62.

(In the matter of dispute between the workmen and the management of the State Bank of Jaipur).

BETWEEN

The General Secretary, Coimbatore District Bank Employees' Association,
10/1, Cox Street, Coimbatore

AND

The General Manager, State Bank of Jaipur, Jaipur.

REFERENCE:

Order No. 10(136) 60 LRIV, dated 12th December, 1962 of the Ministry of Labour & Employment, Government of India, New Delhi.

ISSUE:

"Whether the management of the State Bank of Jaipur was justified in discharging Sri Udaichand Mehta, Assistant Accountant of Coimbatore Branch of the Bank from service in February 1959 and if not to what relief is he entitled?"

This dispute coming on for hearing before me on Tuesday, 15th January 1963, Friday, 22nd February 1963, Tuesday, 5th March 1963 and on Friday, 22nd March 1963 and upon hearing the arguments of Mr. P. J. Seetharaman, Advocate for the Union and Mr. M. L. Nayak, Advocate for the Management and upon perusing the material papers on record the tribunal made the following award:—

AWARD

This is a reference made by the Central Government in regard to an industrial dispute between Sri U. C. Mehta who was employed as Assistant Accountant in Coimbatore Branch of the Bank of Jaipur and who was discharged from service from February 1959 and the State Bank of Jaipur.

The point for determination is whether he was properly discharged from service in February 1959 and if not to what relief he is entitled.

The background of this dispute ending in the discharge of Sri U. C. Mehta has to be set at some length. Sri Mehta who seems to be a native of Rajasthan joined the Bank of Jaipur Ltd., situated in the princely state of Jaipur in Rajasthan. He was first appointed as a clerk and was promoted as an officer in the Ratlam Branch from 1st January 1956. He seems to have been granted double increments on four occasions and a treble increment on one occasion. One double increment was in the year 1957 when Sri Mehta was working in the Delhi Branch. Immediately after confirmation of his service in the Bank he was promoted to several positions and was put in charge of a small branch. He was designated as Assistant Accountant and thus became an officer.

It is stated that on a series of complaints by the Agent and the staff of the Ratlam Branch, the Head Office framed charges and on an enquiry held by Sri Nangiah, Sri Mehta was transferred to Delhi Branch. In Delhi it is stated again the Agent of the Delhi Branch complained about his work and behaviour, and therefore the superiors seem to have thought that he should be banished to the South, namely, Coimbatore. This Mehta does not know a word of Tamil and he came to Coimbatore as an utter stranger.

It is found that the difficulties related to this Mehta and which displeased his superiors were his meticulous attention to the formalities prescribed by the Circulars of the Central Office and carrying them out in the day to day discharge of his duties. In several branches where Sri Mehta worked he drew the attention of the Agent of the Branch to the irregularities prevalent there and which he considered to be against the interests of the Bank and which were certainly in contravention of the circulars issued by the Central Office. This will be clear from the copies of documents marked as W-31, W-34, W-35, W-36, W-37, W-39, and W-40.

On joining the Coimbatore Branch on 30th October 1958 this Mehta did two things which brought him into clash with the Agent Sri Ramamurti and the second officer by name Sri Ramachandran, and the other members of the staff. The first thing he did was to repeat his previous performance of pointing out the irregularities which were going on in Coimbatore branch contrary to the Head Office circulars. One such irregularity he pointed out in W-40 was payment of very huge amounts in respect of telegraphic transfers, involving in some cases to the tune of Rs. 1,00,000 without receiving telegraphic advices from the branches concerned. This, Sri Mehta felt, was an accommodation to the parties by the Agent which was against the written instructions of the Head Office. The second thing he did was he followed the North Indian practice of attending office punctually at 10.00 A.M. and leaving at 5.00 P.M. and refusing to work on Sundays and holidays. It is the privilege of the South Indian clerks to work not only during the prescribed hours of work, but in order to dispose of the work, far into evening and on holidays and Sundays. This kind of zeal, it is well-known, has not exactly endeared them in the North Indian offices a notorious fact of which judicial notice can be taken.

On account of his being an utter stranger without any knowledge of the regional language he seems to have had practically no social contacts with the other members of the staff and he seems to have kept to himself aloof from others.

Hardly had Mr. Mehta spent two months in Coimbatore, a comprehensive charge sheet had been framed against him by the General Manager in his letter dated 3rd January 1959. The charges run as follows:—

1. That the Coimbatore Agent states that you are inefficient, negligent and slow in performance of your duties.
2. That there is wilful defiance of lawful orders of your superiors. You refused to carry out the duties entrusted to you by the Coimbatore Agent on 1st December, 1958. You considered them infra dig vide your letter No. B/12/574 of December 6, 1958.
- 3 You hit upon a method of avoiding work by pretending illness and you applied for leave without producing a medical certificate. You adopt such tactics to create delay and inconvenience to the supervisory staff and to hide your incompetency.
4. That the Coimbatore Agent states that consequent upon your taking two days' casual leave on flimsy grounds he had to summon back for duty Shri Ramachandran who was actually on leave.
5. I also refer to the last charge sheet while you were at Ratlam Branch and the findings of the enquiry. In your letter of 13th July 1956 you tendered an unconditional apology admitting your guilt as established by the enquiry then held. At your request you were pardoned and were transferred to Delhi Branch on your promising to improve your behaviour. Your attention is drawn to the last para of your letter dated 13th July 1956 which is as under:—

'You are also informed that should you persist in your non-co-operative attitude in the office again you will be dismissed from service without any fresh enquiry into future complaints to which you have also agreed.'

6. That you continued to behave in an extraordinary way as usual at Delhi also and you were, therefore, transferred to Madras and the Madras Agent had also complained several times about your misbehaviour.
7. That your contumacious behaviour cannot be tolerated and for that purpose I have appointed this enquiry. I trust you will fully co-operate with the enquiry.

The enquiry was conducted by Sri K. S. Raghunathan, Agent, Tirupur Branch on 30th January 1959. The enquiry was fixed on 20th January 1959 in the Bank's premises at Coimbatore and at Sri Mehta's request it was adjourned to 30th January 1959. Sri Mehta wanted to be represented by the General Secretary of the Coimbatore District Bank Employees' Association and was not permitted to do so. On 30th January 1959 when the enquiry started Sri Mehta preferred two preliminary objections, firstly that he was a workman and so entitled to be represented by the Secretary of the Bank Employees Association and secondly that the enquiry was bad for non-publication in the Notice Board of the Branch. The first objection as I just now mentioned, was turned down on the ground that Sri Mehta was an officer and that this was a departmental enquiry and the second objection was also overruled. Thereupon Sri Mehta insisted that he should be granted certified copies of the proceedings or the Enquiry Officer should give him an assurance that he would arrange with the Central Office to supply the same to Sri Mehta. The Enquiry Officer pleaded his inability to do either. Sri Mehta then filed a written statement and some copies of testimonies in his favour and a letter that he would not participate further in the enquiry. Therefore the enquiry was held ex parte.

The Enquiry Officer examined the following persons, namely, (1) Sri S. V. Ramamurthi, Agent of the Coimbatore Branch, (2) Sri S. S. Krishnaswami, Proprietor, Mercury Book Co., (3) Sri R. Nanjappa Gowder, (4) Sri R. O. Rangiah, (5) Mr. D. Williams, (6) Sri T. S. Bindumadhan, representatives of their Constituents; and the members of the staff—(7) Sri S. Raju, Shroff, (8) Sri Narayanan, Clerk, (9) Sri K. S. Ramachandran, Clerk attending to clearing work, (10) Sri N. Venkatachalam, Senior Clerk, (11) Sri P. V. Ramachandran, Cashier and joint Power of Attorney holder, (12) Peon Raman, (13) Peon Achuthan, and (14) Watchman Peraram. With the materials collected by the Enquiry Officer, he submitted a report to the General Manager on charges 1 to 4 and did not go into charges 5, 6 and 7 which he says are left unanswered and puts himself also on the back finally by saying, "I have not allowed myself to be prejudiced by the fact that there had been prior charge sheets against Mr. Mehta and that I have considered the charges unbiased by the same," though his opening paragraph clearly shows the contrary. The Enquiry Officer finally states, "In concluding I have also to note painfully that the attitude of Mr. Mehta towards me was non-co-operative."

On receipt of this report and after giving notice to Mr. Mehta and receiving his letter dated 20th February 1959 the General Manager passed the following order:—

"I am in receipt of your letter No. B.13/612, dated February 20, 1959."

Your statement in para 1 of your letter that you were not informed of the departmental nature of the enquiry until our letter No. 933-SE-136 of 10th February 1959 is incorrect as the Enquiry Officer had told you about this while rejecting your request to be defended by a lawyer or a representative of the Employees' Union. Even if you were not so informed, it could not have prejudiced your defence anyway.

With reference to para 2 of your letter, we have gone through once again the evidence produced by you to disprove the charge of inefficiency but we have to point out that these bear no relevance in the present case and more particularly in the light of reports from our Delhi and Madras Branches and the charges proved against you at Ratlam. Your contention that you abstained from the proceedings of the enquiry because the Enquiry Officer refused to give you a copy of the proceedings is untenable. You could have taken down your own notes for your guidance. This only proves that you could not face the charges squarely even though you were given all facilities by the Enquiry Officer. It is evident that you preferred to dodge the Enquiry on flimsy and unreasonable grounds.

Regarding para 3 of your letter I have only to say that the enquiry was conducted ex parte due to your non-co-operation.

Regarding para 4 we do not find it necessary to furnish you with a copy of the proceedings of the Enquiry Officer as we have already intimated to you his findings.

Your statement in para 5 is replied above in para 2. We note that you have also no reply to offer to paras 5 and 6 of the charge sheet framed against you as per our letter No. 50-SE-6 of 3rd January, 1959.

With regard to para 6 of your letter we have to inform you that what you have stated is the findings of the Enquiry Officer and not any fresh charges as presumed by you.

"With regard to para 7 you are informed that the first letter referred to by you was only a notice of the enquiry into the charges levelled against you by the Coimbatore Agent and an appointment of the Enquiry Officer with all the necessary details. The second letter had intimated to you, the findings of the enquiry officer and giving you a chance to make any submissions before final action could be taken. You are aware that in all such matters the General Manager is the final appellate authority and thus by the aforesaid letters mentioned in your para 7 you were given a chance to appeal.

The final para 8 of your letter is fully answered as above.

In the circumstances I note that you do not desire to prefer any appeal to the undersigned against the findings of the enquiry communicated to you. (italics mine). In view of the findings of the Enquiry Officer and also taking into account your past conduct, I serve on you this notice of discharge from the service of the Bank with immediate effect. You will be paid two months' salary and allowances in lieu of notice by Coimbatore Branch in final settlement of your account. You may apply to Bombay Office for other benefits to which you are entitled and which may be due to you."

Then, the integration of the Bank of Jaipur Ltd., as State Bank of Jaipur took place and the Union raised an industrial dispute. The Conciliation Officer, (Central), Madras, held conciliation proceedings which did not prove fruitful. On the suggestion of the Conciliation Officer both the Management and the Union agreed to have the matter voluntarily referred to Arbitration and signed a joint memorandum to that effect and submitted the same to the Government. On account of the reasons narrated below the Arbitration proceedings did not fructify. Hence an industrial dispute was raised before the Central Government and this reference has been made.

I have had the advantage of the entire matter being placed before me fully and carefully by a veteran trade unionist and accomplished advocate Mr. P. J. Seetharaman on behalf of the worker and by an equally experienced and accomplished advocate Mr. Nayak on behalf of the management and which has materially lightened by labours.

Three points are raised by the Management to disentitle Sri Mehta to any relief. The first point is based on Section 11(1) of the State Bank of India (Subsidiary Banks) Act, 38 of 1959. The second point is that Sri Mehta is not a "workman" within the meaning of the Industrial Disputes Act. Thirdly, it is contended that there are ample grounds on which the Bank of Jaipur was entitled to dismiss this worker.

I shall deal with these three points serially.

Point (1).—The first point taken is that Sri Mehta was not in the employment of the Bank of Jaipur Ltd., immediately before the 1st day of January 1960 so as to entitle him to become an employee of the corresponding new Bank, namely the State Bank of Jaipur. The State Bank of Jaipur has not terminated the services of Sri Mehta. It is contended that in view of the statutory provisions contained in the State Bank of India (Subsidiary Banks) Act, 38 of 1959, the terms of reference in the present adjudication are incapable of adjudication by this Tribunal. S. 11(1) of the aforesaid Act reads as under:—

"11. (1) Save as otherwise provided in this Act, every employee of an existing bank in the employment of that bank immediately before the appointed day, shall, on and from that day, become an employee of the corresponding new Bank and shall hold his office or service therein by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, gratuity and other matters as he would have held the same on the appointed day, if the undertaking of the existing bank had not been transferred to and vested in the corresponding new bank and shall continue to do so unless and until his employment in that bank is terminated or until his remuneration or other terms and conditions of service are revised or altered by the corresponding new bank under, or in pursuance of, any law, or in accordance with any provision which, for the time being, governs his services."

It is submitted that the above provision is a part of the scheme to crystallize, as on the appointed day, which in the case of this Bank, the 1st day of January 1960, the liabilities and obligations in respect of the employees to be taken over by the subsidiary banks. Sri Mehta has therefore to be deemed to be not in the employment of the Bank of Jaipur Ltd., immediately before 1st January, 1960 so as to entitle him to become the employee of the corresponding new Bank, the State Bank of Jaipur.

This argument is without any substance because the Act contains provisions whereunder the rights and obligations and liabilities and the right to sue and to be sued against were taken over by the State Bank of Jaipur from the Bank of Jaipur Ltd. The transformation of the Bank of Jaipur Ltd., into the State Bank of Jaipur was by an Act of Parliament in pursuance of the decision of the Government of India as also the Reserve Bank of India to integrate certain banking institutions which were carrying on business with the authority and guarantee of certain erstwhile princely States which were subsequently transformed into Part B States and which were finally integrated by the States Re-organisation Act of 1956. The State Bank of Jaipur is therefore the legal successor of the Bank of Jaipur Ltd., by an Act of Parliament and hence all the liabilities and obligations that attached to the Bank of Jaipur Ltd., as on 31st December, 1959 stood transferred to its legal successor, namely, the State Bank of Jaipur.

In addition, this position has been accepted by the Respondent-Management at various stages and continued to be accepted long after 1st January, 1960. It was only on that footing conciliation proceedings took place and both parties agreed to have the matter settled by arbitration.

The notices issued by the Conciliation Officer directed the parties to appear in person or through a duly authorised representative [in terms of Form F prescribed under rule 36 of the Industrial Disputes Act (Central) Rules 1957] who may be invested with powers to take decisions on spot. At the Conciliation proceedings held by the Conciliation Officer on 24th August, 1959 at Coimbatore the respondent-Management was represented by Sri S. V. Ramamurthi, Agent, Bank of Jaipur Ltd., Coimbatore. At the resumed conciliation proceedings which were held at Madras on 14th and 15th October 1959 the respondent-Management was represented by Sri T. K. Rajagopalan, Agent, Madras Branch of Bank of Jaipur Ltd. It was in the course of these conciliation proceedings that both the parties agreed on 15th October, 1959 to have the case referred for arbitration. In pursuance of the mutual agreement between the parties to have the matter referred for arbitration, the respondent-Management requested the Conciliation Officer to furnish a panel of names of persons authorised to function as arbitrators. The Conciliation Officer, Madras sent for perusal of both the parties a panel of names of Arbitrators classified into different categories. The respondent-Management which had by then become the State Bank of Jaipur, by a letter dated 30th July, 1960 wrote to the Conciliation Officer, with a copy to the Union stating that Sri P. Markandeyulu, M.A., B.L., Gandhinagar, Madras, was acceptable to the Management as Arbitrator. The Union also accepted to have Sri Markandeyulu as the Arbitrator and the respondent-Bank by a letter dated 27th August, 1960 asked the Union to take necessary action in the matter, as the matter was being delayed. The formal agreement under S. 10(a) of the I.D. Act 1947 was signed by Sri T. K. Rajagopalan, Agent, State Bank of Jaipur for the respondent-Bank and by Sri K. Nagaraja Rao for the Union wherein it was agreed that the Industrial Dispute be referred to Sri Markandeyulu and specifying the matters in dispute which were four in number and *inter alia* included the reinstatement of Sri Udaichand Mehta with back wages. The said agreement was submitted to the Government of India for publication in the Gazette of India, Extraordinary as required by the provisions of the I.D. Act and rules.

By a letter dated 24th September, 1960 the Government of India informed the respondent-Bank as also the Union that the arbitration agreement was to be submitted in triplicate and further the consent in writing was to be obtained from the Arbitrator and also that the Arbitration agreement was to be signed by both the President and the Secretary of the Union. The Government of India, therefore, advised both the parties that the application endorsed by them was incomplete in those respects and the Government of India further requested that the revised agreement as specified above along with the consent of the Arbitrator in writing might be sent to the Government of India. The applications under S. 10(a) of the I.D. Act (Form 'C' under rule 7 of the rules) duly signed by the representatives of the Union were forwarded by the Conciliation Officer, Madras to the respondent-Management for their signature and completion to enable the matter to be referred for arbitration. The Conciliation Officer by his letter dated

28th November, 1960 advised the Union to pursue the matter further with the Management. The respondent-Management desired to have a list of names of Arbitrators available in Bombay which list was also forwarded by the Conciliation Officer to the respondent-Bank vide his letter dated 7th December 1960.

By a letter dated 2nd January, 1961 the Conciliation Officer requested the respondent-Management to intimate by return of post whether the case had been referred to arbitrator or not and requested immediate steps for reference of the same to the arbitration. By a letter dated 1st March 1961 the Government of India advised the Union to pursue the matter further with the Conciliation Officer, Madras inasmuch as the Bank was stated to be not agreeable to send an application under S. 10(a) of the I.D. Act, 1947.

Therefore, there is no substance in the preliminary objection put forward by the respondent-Management and I hold that this Tribunal is competent to adjudicate upon this dispute.

Point 2.—The second point put forward by the Management is that Sri Mehta was an officer of the Bank of Jaipur Ltd., and was not a workman as per the provisions of the I.D. Act and hence the reference of the Government of India is bad.

The Industrial Disputes Act, it is contended, contemplates adjudication of disputes by this Tribunal when the employee concerned is a workman. The contention of the Management that Sri Mehta is not a workman is based upon two grounds, namely (1) that Sri Mehta accepted the post of an Officer in the old Bank of Jaipur on the following terms:—

"I am glad to inform you that we have decided to promote you to the cadre of an Officer in the Bank "in the grade of Rs. 100—10—200—E.B.—10—250 plus D.A. of 33 1/3 per cent of the substantive salary with a minimum of Rs. 50 p.m. provided it is clearly understood and agreed upon that on your promotion you will cease to be a workman and you will discharge your duties and perform your work with a full sense of responsibility which is traditionally observed by an officer in any institution and you will not take part in any subversive activities pre-judicial to the interest of this Bank. On your accepting the post of an Officer you will be governed by rules and regulations applicable to the Officers of the Bank.

2. It is expected that you will not only uphold the dignity of the institution but also enhance it by your sincere, loyal, responsible and efficient discharge of your work with maximum speed and accuracy. Should you be willing to accept this offer please inform me or your immediate Officer in writing so that necessary adjustment in your salaries and allowances could be made from this month itself."

Sd./- General Manager."

"I am very much grateful to you for your kind and favourable decision containing in your letter of 24th January 1956, received hereon 27th January, 1956, which I accept with many thanks.

Here it will not be out of place to mention that since my appointment in this institution I have always been discharging my duties on various posts with my best care and honesty. Similarly on my new post as an Officer in the Bank in the grade of Rs. 100—10—200—E.B.—10—250 plus D.A. of 33 1/3 per cent. of the substantive salary with a minimum of Rs. 50 p.m. as stated in your above cited letter. I must assure your goodself that I will do my utmost in discharging my duties with greatest zeal and responsibility as expected from an Officer.

With great respects.

Sd./- UDAICHAND H. MEHTA."

(2) that Sri Mehta has been given a power of attorney Ex. M-22 which, it is stated, defines his duties and gives a pith and substance of the employment which would take him out of the class of employees designated as workmen as defined in S. 2(s) of the I.D. Act. It is enumerated in the said Power of Attorney in clauses 1 to 7 all require initiative and independence which should be termed as managerial functions simpliciter and these powers had to be exercised by him jointly with the Agent. In other words it is contended by the Management that it was a joint power and as it has to be admitted that the Agent could not be characterised as a workman, the officer in the position of Sri Mehta exercising joint powers along

with the Agent could not be termed as a workman. The powers conferred on the Agent and Sri Mehta were all co-equal. The duties and powers of Sri Mehta were of a managerial nature, though incidentally and at times, he had also to discharge supervisory functions when he had to check the work of the clerks or even write the transfer scroll book—vide his letter dated 6th December, 1958 to the Agent of the Coimbatore Branch of the Bank. The respondent-Management placed reliance upon Jagannadham V. State of A.P. and others reported in 1958 I L.L.J. 202; Malabar Industrial Co. V.I.T. reported in 1958 II L.L.J. 722; and McLeod & Co. V. Sixth Industrial Tribunal reported in A.I.R. 1958 Calcutta 273; and also a passage in the All India Industrial Tribunal (Bank Disputes) Award (Sastri Award, Chapter XV—Paragraph 325, page 97) where it is stated that signing receipts and documents on behalf of the Bank are also some of the attributes of an Officer. It is therefore submitted that one should look to the nature of the work and degree of the responsibilities to decide whether a person is a workman or an officer discharging managerial or administrative functions and that looked at from that point of view all the powers conferred on Sri Mehta under the power of attorney for the period of 2 months at Coimbatore during which he discharged his duties in November and December 1958, would go to show that he was not a workman.

S. 2(s) of the I.D. Act defines the workman and the present clause was substituted by Industrial Disputes (Amendment and Miscellaneous Provisions) Act, 1956 (36 of 1956). Material changes have been made by this amendment and the points of difference between the definition of "workman" upto 1956 and after the amendment of 1956 are brought out in the following Tabular Statement:—

Points of difference between definition of Workman upto 1956 and after the amendment of 1956.

Definition of "workman" upto Amendment of 1956	Definition of "workman" after Amendment of 1956
"Workman" means any person employed (including an apprentice) in any industry to do any skilled or unskilled—	"Workman" means any person (including an apprentice) employed in any industry to do—any skilled or unskilled—
1. manual or 2. clerical work for hire or reward	1. Manual, 2. <i>supervisory</i> , 3. <i>technical</i> , or 4. clerical work,
and includes a workman discharged during that dispute	for hire or reward <i>whether the terms of employment be express or implied</i> and includes any such person who has been dismissed, discharged or retrenched in connection with, or as a consequence of that dispute, or whose dismissal, discharge or retrenchment has led to that dispute,
(but does not include any person employed in the Naval, Military or Air Service of the Government).	but does not include persons subject to Army, Air Force or Navy Acts; persons employed in the Police service or an officer or employee of a prison who is employed mainly in a managerial or administrative capacity; who being employed in a supervisory capacity, (a) draws wages exceeding Rs. 500/- per month; or (b) exercises functions mainly of a managerial nature.

NOTE.—In the above table, the words which have been added in the amended definition have been shown in *italics*. The above table sets forth in a graphic manner the differences between the old and the new definitions.

It is clear on a comparison of the old and new law upon the subject that the definition of workman has been changed in two material particulars:—

(1) Formerly only the following were workmen:—

- (a) persons doing skilled or unskilled *manual* work;
- (b) persons doing skilled or unskilled *clerical* work;

Now, besides the above, the following further categories are included:—

- (a) persons doing skilled or unskilled *supervisory* work;
- (b) persons doing skilled or unskilled *technical* work;

Provided that the following are not included:—

- (i) a person employed in a supervisory capacity and drawing wages exceeding Rs. 500 per mensem;
- (ii) a person who performs functions mainly of a managerial nature, either by
 - (a) the nature of the duties attached to the office or
 - (b) by reason of the powers vested in him.

The exact position occupied by Sri Mehta during the two months of his employment in Coimbatore should now be delimited. In the present case it is admitted by the Bank that Sri Mehta was an Assistant Accountant. It was sought to be faintly contended that Sri Mehta's duties were managerial and involved direction and control. But it was clearly admitted that Sri Mehta could not appoint or dismiss or punish otherwise any person and that he could not grant leave to others and that he could not direct clerks and subordinate staff in the work of the Bank and had no administrative control over them. The Bank did not even file a list of duties assigned to Sri Mehta. Before the Conciliation Officer the Management stated that Sri Mehta was a supervisor and so he would not be allowed to be defended by the Union Representative. Sri S. V. Ramamurthi in his deposition (in the domestic enquiry) has stated that Sri Mehta was an Assistant Accountant. In the domestic enquiry proceedings also one fact which emerges is that this Mehta discharged nothing more than the duties of an Assistant Accountant and that he did not exercise any of the wide powers conferred on him under the power of attorney.

The Assistant Accountants in the Bank of Jaipur Ltd., now the State Bank of Jaipur have been held to be workmen and it has also been held that they were entitled to the supervisory allowance—vide para 164(b)(9) of the Sastry Award. The Industrial Tribunal, Delhi, in I.D. No. 4 of 1958, between the Bank of Jaipur Ltd., and their workmen, held that the two employees who were Assistant Accountants were entitled to the supervisory allowance. These employees were holding powers of Attorney and had signing powers. They were also shown as members of the supervisory staff. The duties performed by them are identical with the duties performed by Sri Mehta as Assistant Accountant. In that case it was contended by the Bank that those two employees in question were only clerks and that the duties performed by them were not supervisory. In I.D. No. 101 of 61 on the file of the Central Government Industrial Tribunal, Delhi, between the State Bank of Jaipur and its workmen it was again held that the Assistant Accountants who held powers of attorney and were stated to be members of the supervisory staff were workmen and it was also held that they were entitled to supervisory allowance under para 164(b)(9) of the Sastry award. It will be noted that the duties performed by all the employees referred to in the above dispute were identical with the duties performed by Sri Mehta.

In the Arbitration Agreement under S. 10-A of the I.D. Act of 1947, relating to this case, one of the items, viz., item 4 to be arbitrated was "payment of supervisory allowance" as per Sastry award at the rate of Rs. 45 p.m. from 1st April, 1954. In other words, the Bank has accepted the position that Sri Mehta was a workman and there was a dispute as to whether he was entitled to the Supervisory allowance. The Management in its letter to the Conciliation Officer, Madras had stated as early as 15th April, 1959 that Sri Mehta was in the supervisory grade. By virtue of the definition of section 2(s) as it stood on 25th February, 1959 Sri Mehta, it is contended, must be deemed to be a workman within the meaning of the I.D. Act.

The mere designation of Sri Mehta and the extensive powers conferred upon him by the type-design power of attorney which is stated to be conferred on all superior employees of the Bank would not alter the status conferred by the Amended I.D. Act. The nature of the actual duties performed by the employee alone is the criterion. This was laid down by the Supreme Court in Lloyds Bank Ltd., V. Panna Lal Gupta reported in 1961 (1) L.L.J. 18. The question as to who is a workman has been discussed and decided in a number of cases on the foot of this principle. The Supreme Court held in May & Baker (India) Ltd. V. Their workmen reported in 1961 (2) L.L.J. 94 that it has to be seen in each case whether the person is employed as a workman or not. The Madras High Court in Mysore Vegetable Oil Products Ltd. V. Labour Court and another reported in 1961

(2) L.L.J. 508 held that in ascertaining the true status of an employee regard must be given not to the temporary arrangement but to his substantive position. Again the meaning and scope of S. 2(s)(iv) of the I.D. Act was considered in Andhra Scientific Co. Ltd. V. Seshangiri Rao and another reported in 1959(2) L.L.J. 717. It was held therein that the Stores Manager was only a supervisor and hence a workman.

A leading case on this question is the decision of N. Rajagopala Ayyangar J in Burmah-Shell Oil Storage & Distribution Co. of India Ltd., Madras V. L.A.T. and others reported in 1954(2) L.L.J. 155. One of the points for decision in that case was whether the Depot Superintendents and Asst. Depot Superintendents were workmen within the meaning of S. 2(s) of the I.D. Act as it was in 1953 i.e., prior to amendment. The duties of these categories of employees were listed at page 158. The Depot Superintendent or Asst. Superintendent does not have powers to punish any clerk or workmen, but he can recommend the issue of a charge sheet. He can, in the case of serious misconduct, suspend workmen. He has powers of sanctioning leave. He has to deal with Agents, Dealers, customers and railway staff. He has to handle the depot imprest cash account including paying labour wages from the pay roll made by him. On the above and other facts the Madras High Court held that the Depot Superintendents and Asst. Superintendents were workmen. In fact in this case Sri Mehta was never invested with powers to sanction leave or suspend clerk or subordinate staff.

The Labour Appellate Tribunal made similar observations in Janardhana Mills case reported in 1953 I L.L.J. 344. In Punjab National Bank Ltd. case reported in 1953 (1) L.L.J. 368 the Labour Appellate Tribunal held that the Accountant-in-charge of a Pay Office was a workman under the old definition of S. 2(s) of the I.D. Act. In Bank of Bikaner V. B. B. Goel reported in 1953(2) L.L.J. 334 (L.A.T.) this question came up for consideration. An Assistant Branch Manager in a Bank relieved of his post as such at place X and posted to Calcutta, where he had not taken charge when dispute arose. The Industrial Tribunal held that at place X, his duties were those of a Manager and hence he was held not to be a workman. The Labour Appellate Tribunal held on appeal that the real question was what was the status of the employee at the time of the dispute; his true position being that of an intended accountant at Calcutta. when his duties would be of a clerical nature, he was held to be a workman.

A Bank's Assistant Manager whose duties were of a clerical nature and who put up notes regarding leave and staff matter to Manager who passed orders on them was held to be a workman—vide Punjab National Bank Ltd. V. Certain workmen reported in 1953(1) L.L.J. 368 (L.A.T.).

Bank's cashiers, Assistant Manager and Accountants were held to be workmen in Bharat Bank Ltd. V. Certain ex-employees reported in 1952(2) L.L.J. 420. Bank's Chief Accountant who was held to have power of supervision and control and also power of inspection with ancillary duties of a clerical nature was held to be not a workman—vide Bank of Cochin Ltd. V. P. K. Favoo and others reported 1953(2) L.L.J. 595. Inspector in Bank was held to be a workman in Banks in Delhi V. Their Employees reported in 1951(1) L.L.J. 254. Sub-Agent in Bank at its main office whose duties were held essentially to be of a clerical nature, was held workmen in Madan Gopal V. Hindusthan Commercial Bank Ltd., Kanpur reported in 1954(1) L.L.J. 414.

In a recent award of this Tribunal relating to Tanjore Bank Ltd., and its employees, I have held that the Branch Agents, Zonal Managers and Internal Auditors etc. were workmen, in the context of the nature of the duties and functions assigned to them, notwithstanding their designations.

The learned Advocate for the Management Sri M. L. Nayak replies upon Jagannadham V. State of A. P. and others reported in 1958 I L.L.J. 202; Malabar Industrial Co. V. I.T. reported in 1958 II L.L.J. 722 and McLeod & Co. V. Sixth Industrial Tribunal reported in A.I.R. 1958 Calcutta 273 and also a passage in paragraph 324 of Sastri Award. These authorities do not really help him because the first case 1958 I L.L.J. 202 which is a decision of the Andhra High Court related to a question whether a person employed as a Labour Officer in a Jute Mill whose duties involved the exercise of initiative, tact and independence could be considered to be a workman within the meaning of S. 2(s) of the I.D. Act. The duties of the Labour Conciliation Officers are prescribed at page 203. It will also be seen that the dispute was in relation to the status of a person prior to the amendment in 1956 of the I.D. Act of 1947. As the dispute related to a period prior to the amendment in 1956 and as the law as it stood when the writ petition was filed the

supervisors were precluded from the definition of the term "workman" and therefore the writ petition was dismissed. It is only S. 2(s) as it stands after the amendment of 1956 includes persons employed in supervisory capacity whose total emoluments do not exceed Rs. 500 p.m. The decision of Kerala High Court in 1958 II L.L.J. 722 referred to above is also in respect of an industrial dispute that arose in 1955, i.e., prior to the amendment. The case reported in A.I.R. 1958 Calcutta 273 is also similar to the two cases relied upon by the Management. It may be stated that para 325 of Sastry Award relied on by the Management also relates to the law as it stood in 1953, when S. 2(s) did not cover persons employed as Supervisors. Even there, reference was made to the observations of Justice Bind Basni Prasad in his award in the U.P. Conciliation Board which was presided over by him and published in the year 1949. The observations are as follows:—

"An officer is one who has responsibilities of a directional nature within the scope of his authority. Powers such as passing final orders for payments, signing receipts and documents on behalf of Banks, appointment or punishment or both of the subordinate staff and grant of leave to the staff are some of the attributes of an officer. There may be an officer who may not possess all these attributes. Nevertheless he may be an officer. The test is whether his duties and responsibilities are of a directional and controlling nature.

The mere fact that an employee checks or superintends.....
There is a sharp distinction between a supervisory and a controlling work."

In paragraph 326 of the Sastry Award, it has been observed that the supervisors of the Punjab National Bank were workmen and not officers. [1952(2) L.L.J. 648]. It was also held therein that Head Cashiers and Accountants are also workmen. In the present case it is admitted by the Bank that Sri Mehta was an Assistant Accountant. Para 164 of Sastry Award lays down special allowances for Assistant Accountants, otherwise called Sub-Accountants. Para 167 therein has also a hearing on this question. Para 328 has a particular hearing on this question as also paragraphs 331 and 332. But these observations were all prior to the amendment in 1956.

Thus, the case law on the subject clearly makes out that this Sri Mehta whose duties were of a clerical nature and involving no duties of a managerial or administrative nature was a workman and this cannot be got over by the fact that Sri Mehta had accepted the terms of Ex- M-23 and ceased to be a workman. It will be noted that the order was in January 1956 and in January 1956 the definition of S. 2(s) of the I.D. Act was amended and the Act as it stands today came into force. Thus by the operation of law Sri Mehta who was a supervisor became a workman in terms of the amended Act. There can be no waiver or estoppel against the statute. If the statute altered the status of Sri Mehta from the position of a supervisor into that of a workman, the Bank cannot plead estoppel or waiver. If the Bank had desired to change the status of Sri Mehta after the amendment of S. 2(s) the Bank should have raised his emoluments over Rs. 500 p.m. and should have also given him the notice of change contemplated under S. 9-A of the I.D. Act.

It was also rightly contended by Mr. Seetharaman that this Tribunal being a Court of equity, it can vary or modify the terms of unequal or inequitable contracts. That this Tribunal has such powers has been laid down in the following decisions:—

1. Western India Automobile case—reported in 1949-II L.L.J. 245;
2. C. P. Sarathy V. State of Madras—reported in 1953—I.L.L.J. 174;
3. J. K. Iron & Steel Co. V. Their workmen—reported in 1956—I L.L.J. 227; and
4. Rohtas Industries Ltd. case—reported in 1956-II L.L.J. 444.

To sum up, the Assistant Accountants of the Bank of Jaipur and later the Assistant Accountants of the State Bank of Jaipur holding powers of attorney and having signing powers have been held to be workmen. The Management has not let in any evidence to show; nor is there any evidence on record that Sri Mehta by virtue of the conferment of the power of attorney had acquired and used any powers of management, direction or control. In fact, the Agent at Coimbatore as also the Enquiry Officer have stated that doing clerical work was one of the duties expected of Sri Mehta who was holding a position identical with the Assistant Accountants in the aforesaid decisions. I, therefore, hold him to be a workman.

Point (3).—The scope of an "Enquiry" while adjudicating a dispute for reinstatement of a discharged workman was first laid down by a Full Bench of the Labour

Appellate Tribunal in the B. & C. Mills case reported in 1951 II L.L.J. 314 after fully discussing the different decisions of different tribunals. The Supreme Court has approved of this decision and in Indian Iron & Steel Co. Ltd. and another V. Their workmen reported in 1958 I L.L.J. 260 the Supreme Court has observed as follows:—

"In cases of dismissal on misconduct the tribunal does not however act as a Court of Appeal and substitute its own judgement for that of the Management. It will interfere:—

- (i) when there is a want of good faith;
- (ii) when there is victimisation or unfair labour practice;
- (iii) when the management has been guilty of a basic error or violation of a principle of natural justice; and
- (iv) when on the materials, the finding is completely baseless or perverse."

Subsequently in Balipara Tea Estate V. Its workmen reported in 1959 II L.L.J. 245 the Supreme Court has held as follows:—

"An Industrial tribunal, while adjudicating on an industrial dispute relating to dismissal of a workman for misconduct, has not got to decide for itself whether the charges framed against the workman concerned has been established to its satisfaction. It has only to be satisfied that the management was justified in coming to the conclusion (*in bona fide* and proper domestic enquiry) that the charge against the workman was well founded. If it finds in any given case that the management was actuated by any sinister motives or had indulged in unfair labour practice or that the workman had been victimised for any activities of his in connexion with the trade union, it would have reasons to be critical of the enquiry held by the management."

Where the tribunal by examining and reviewing the evidence afresh came to the conclusion that the employer failed to bring home conclusively the charge to the workman concerned on the assumption that the degree of proof required in a domestic enquiry is the same as required in a common Law Court and where such conclusion was supported by drawing an adverse inference against the employer for their failure to produce a particular document which the concerned workman never asked to be produced whether at the domestic enquiry or before the tribunal, it must be held that the award suffered from inherent infirmity and wrong approach. The tribunal misdirected itself in so far as it judged the case against the workman concerned afresh on its merits as if it were a trial for a criminal offence. It could not insist upon conclusive proof of guilt to be adduced by the employer. It is well settled that a tribunal has to find only whether there was justification for the management to dismiss an employee and whether a case of misconduct had been made out at the enquiry before it. The tribunal further misdirected itself in basing its conclusion upon the absence of the document which neither the parties before it, nor the tribunal itself, during the enquiry thought to be relevant. If the tribunal had any genuine doubts of its own as regards *bona fides* of the management, the easiest thing would have been to call upon the management to produce the particular document. Without adopting such course, it was not open to the tribunal to draw any adverse inference against the employer for their failure to produce such document."

The learned Advocate Sri Seetharaman draws my attention to several other decisions noted at the foot wherein it has been held that the adjudicator can interfere where there is *mala fides* victimisation, perverse finding, basic error, violation of principles of natural justice.

- (1) 1958(I) L.L.J. P. 260 at P. 269 (S.C.); 1951-II. L.L.J. P. 314; 1952 L.A.C. P. 490; 1960-II. L.L.J. P. 587 (S.C.); 1961-II. L.L.J. P. 754 at P. 759 and 760 (Madras High Court); 1958(II) L.L.J. P. 259 at P. 264 (S.C.); 1961-II. L.L.J. P. 754 at P. 759 and 760 (Madras High Court); 1961-3 F.L.R. P. 413; 1959-I. L.L.J. P. 285, 289, 291, 292 (S.C.); 1961-I. L.L.J. P. 514 S.C.; 1957-I. L.L.J. P. 494; 1958-I. L.L.J. P. 423; 1962-II. L.L.J. P. 3; 1956-II. L.L.J. P. 67 at 69; 1954 Andhra Law Times P. 179; 1952 L.A.C. P. 490; 1961-II. L.L.J. P. 294; 1960-II. L.L.J. P. 175; 1961-I. L.L.J. P. 686; 1961-I. L.L.J. P. 546; 63 Punjab L.R. P. 299; 1961-I. L.L.J. P. 644 at 651; 1962 L.A.C. P. 893; 1958-I. L.L.J. P. 260 at 269; 1952-II. L.L.J. P. 320; 1956-II. L.L.J. P. 439 at 443; 1959-II. L.L.J. P. 666; 1957-I. L.L.J. P. 494 at 501; 1958-II. L.L.J. P. 95 at 101; 1952-II. L.L.J. P. 577; 1958-I. L.L.J. P. 482 at 485 and 486; 1957-I. L.L.J. P. 17 at P. 26; 1961-II. L.L.J. P. 414.

In a recent award of this Tribunal in an industrial dispute between Sri Ganesa Engineering Works and their workman I have held that where a list of witnesses and statements of witnesses etc. are not given to the charge-sheeted workman and surprise witnesses spring up and when there is no notification in advance as to the nature of the evidence that they would give and which would deny the charge-sheeted workman a reasonable opportunity to defend himself it has to be presumed that there has been violation of principles of natural justice.

The learned Advocate Sri Seetharaman contends that this case furnishes a catalogue of all the grounds which have been laid down by various Courts justifying my interference with the dismissal. These grounds were listed by him as follows:—

- (1) The enquiry was not *bona fide*;
- (2) The charges were vague and incapable of being specifically rebutted;
- (3) There were a series of procedural lapses vitiating the enquiry;
- (4) The depositions of the various witnesses at the enquiry which constitute a strange reading prove the contrary of what they wanted to establish;
- (5) Extraneous matters were imported into the consideration of the case against Sri Mehta in this enquiry *vide* charges 5, 6 and 7;
- (6) The general Managers order of discharge is vitiated by serious irregularities.
- (7) The dismissal was an act of unfair labour practice and victimisation.

On a careful consideration of all the materials on record I have come to the conclusion that these grounds have been fully made out. Here are my reasons.

Point (1).—There can be no doubt that the enquiry held in this case was not *bona fide*. This Mehta has prepared a formidable list of irregularities committed by the Agent at Coimbatore Branch and has communicated them to the Agent and apparently this enquiry must have been initiated to forestall any possible action against the Agent for the material irregularities which might jeopardise the interests of the Bank. The purpose or object of holding a domestic enquiry is to determine the truth or otherwise of the charges or allegations levelled against an employee by conducting an impartial and unbiased investigation or enquiry into the matter. It is seen from the charge-sheet itself that it does not even call for an explanation. The charge-sheeting authority *suo motu* presumes the existence of a *prima facie* case and orders an enquiry. In the normal course of things an enquiry would be warranted only if the explanation of the employee concerned is considered and found not satisfactory. In the present case the General Manager has directed an enquiry to be held, presuming the truth of the charges. This is clearly not a *bona fide* enquiry.

Point (2).—The charges framed as they are certainly vague. There are no specific charges and specific instances. It has been held by various Tribunals, High Courts and Supreme Court of India that the charges must be clear, specific and unambiguous. The charge-sheeted employee must be clearly told what exactly the charges against him are and what he is expected to answer. In 1961 (3) F.L.R. 413 it has been held that two fundamental principles of natural justice are—(1) a person charged with an offence must have proper notice of the charge and (2) he must be given a proper opportunity for showing cause as to why any punishment should not be imposed upon him. In the instant case the charge-sheet does not indicate what exactly was the complaint of the Management against Sri Mehta. In fact the charge-sheet recalls the old rhyme, "I don't like Dr. Fell; the reason why I cannot tell."

Point (3).—There were series of procedural lapses in the present case. There was no material placed before the Enquiry Officer to substantiate the charges as such. If any such material was placed before the Enquiry Officer, the Enquiry Officer certainly did not make it available to the concerned worker such material and give him an opportunity for explaining them. Even if copies of statements or documents were made available for a casual scrutiny or for cursory perusal just at the time of the enquiry, such a procedure would still be opposed to the principles of natural justice. The concerned worker would not have the opportunity of equipping himself properly and making effective cross-examination of the witnesses. It has therefore been held that it was obligatory that copies of statements should be given in advance to the charge-sheeted person and that such a procedure was an essential part of a formal enquiry. A ruling to this effect was given by Madras High Court in Thangaswami V. South Indian Railway Employees Co-operative

Credit Society Ltd. reported in 1961 (2) L.L.J. 754 at pages 759 and 760. See also similar observations in the Macenzie & Company Ltd.'s case 1959-I L.L.J. P. 286. Tika Ram & Sons V. Their workmen in 1961-I. L.L.J. 514 and Union of India V. T. R. Verma 1958-2. L.L.J. 259.

On the pretext that Sri Mehta was an officer permission was refused to defend himself during the summary enquiry. It is quite true that the principles of natural justice do not require that the worker is entitled as of right to be represented by the Union in the domestic enquiry. See Kalindi V. Tata Loco and Engineering Co. Ltd. reported in 1960 II L.L.J. 228 and Brooke Bond India Ltd. V. Subba Raman reported in 1961 II L.L.J. 417. The head-note of the former case runs as follows:—

"Accustomed as we are to the practice in the courts of law to skilful handling of witnesses by lawyers specially trained in the art of examination and cross-examination of witnesses, our first inclination is to think that a fair enquiry demands that the person accused of an act should have the assistance of some person, who even if not a lawyer may be expected to examine and cross-examine witnesses with a fair amount of skill. It must be remembered, however, in the first instance, that these are not enquiries in a court of law. It is necessary to remember also that in these enquiries fairly simple questions of fact as to whether certain acts of misconduct were committed by a workman or not only fall to be considered and straightforward questioning which a person of fair intelligence and knowledge of conditions prevailing in the industry will be able to do will ordinarily help to elicit the truth. It may often happen that the accused workman will be best suited and fully able to cross-examine the witnesses who have spoken against him and to examine witnesses in his favour."

Discretion could have been exercised in favour of the employee to avail himself of the assistance to defend himself and that discretion was not exercised. It is a factor which can be taken into consideration in assessing victimisation and unfair labour practice pleaded. It is a trite English saying that he who is his own lawyer has got a fool for his client. Therefore, in considering the question of want of good faith, this factor can be taken into consideration, having regard to the nature of the charges levelled against Sri Mehta and the position in which he was placed *vis-a-vis* the united opposition of the staff of the Bank and the determination which the Enquiry Officer seems to have brought upon his task to bring it to a successful conclusion and book this offender, whom they seem to have considered naturally as a difficult man with a past who should be got rid of as early as possible. In fact there is an allegation that the Enquiry Officer was closeted for 2 hours before the Enquiry with the Agent and though this might have had no bearing, still in the mind of the worker it was not calculated to give an assurance of an unbiased hearing. It is quite true as the great English dramatist has put it, "To minds suspicious rifles light as air assume proofs of holy Writ". But at the same time it is the duty of the Enquiry Officers to see that not only justice is done but justice appears to be done.

Then, Sri Mehta has made a reasonable request to be furnished with certified copies of the documents either by the Enquiry Officer or through the Central Office. Apparently Sri Mehta has suspected that the Enquiry Officer might be recording things not said or leaving things said. This request was also turned down. A stream of witnesses, all belonging to the Bank, of whose testimony no previous notice has been given to this worker was examined and their evidence recorded. I have held in an industrial dispute between Sri Ganesa Engineering Works and their workmen—I.D. No. 51 of 1962—after a full discussion of the case law on the subject that where a list of witnesses is not given beforehand and where surprise witnesses are sprung upon the chargesheeted workman and where there is no indication in advance as to the nature of the evidence to be adduced, it would be impossible for anybody to defend himself, properly and exonerate himself and that in such a case it has to be presumed that the procedural lapses are such that they denied a reasonable opportunity and a fair trial to the accused workman and in such a case much reliance cannot also be placed on the evidence as recorded; Assam Oil Co. 1962—I. L.L.J. P. 587. The term reasonable opportunity has a legal content. It cannot as held in Chowdhry's Case 1957-I. L.L.J. P. 494 at 501 *et seq* be left to the vagaries of each individual since it would introduce a thousand shades of reasonableness which cannot be permitted. The fundamental and irreducible requisites are (1) A person must be told clearly and specifically of the offences with which it is intended to charge him and (2) he must not be condemned unheard. This has not been the case here.

Point (4).—I shall now briefly examine the charges to show how the evidence of the various witnesses has not proved the same. Charge No. 1 is:—

"That the Coimbatore Agent states that you are inefficient, negligent and slow in performance of your duties."

Nowhere it is stated that Sri Mehta was wilfully negligent or wilfully slow or he was chronically inefficient. The Agent is not shown to have brought to the notice of Sri Mehta these alleged grounds of dissatisfaction of his work. In fact the only thing evidence is that this Sri Mehta was meticulous in regard to the observations of all the formalities. The circulars of the Head Office have been filed to show that these Accountants were expected to adhere to the formalities in order to prevent fraud and misappropriation. On the other hand Sri Mehta has in his letter, dated 16th January 1959 had pointed out very serious irregularities and malpractices and that he had made representations orally to the Agent several times. It may be that the rules are inconvenient and slow down work. But then when we deal with money matters in Banks all the formalities prescribed have to be carefully followed. Therefore instead of commanding this Sri Mehta for pointing out irregularities the Agent seems to have taken umbrage. There is not a little of evidence to show that Sri Mehta was inefficient or negligent in the discharge of his duties. The grant of double increments, his promotion and the testimonials filed by him show that he seems to have been looked upon as an efficient worker. It is nowhere established that he was adopting go-slow tactics and which would certainly give the Bank a ground for holding him to be guilty of misconduct. If temperamentally slow workers are to be removed from service on that account, I am afraid our services and courts will soon become seriously undermanned. The Agent's evidence does not in any way establish this charge.

Charge No. 2.—Regarding this charge, it refers to events of 1st December 1958. Sri Mehta's letter, dated 6th December 1958 also makes a reference to the conduct of the Agent in assigning clerical duties to him on 1st December 1958, Sri Mehta seems to have thought as is unfortunately the case with many of our Indian compartmental minds that doing purely clerical duties was beneath his izzat as an accountant and has protested. But at the same time he made it clear that he did not want to wilfully disobey the orders of his superiors and that he was discharging whatever duties that were given to him. In fact, the evidence of Sri S. V. Ramamurthi shows that Sri Mehta did not disobey the orders, but only felt hurt and sent a letter of protest on 6th December 1958. The General Manager was in full possession of all the facts and the evidence which went to prove that Sri Mehta was obeying the orders of his superiors. Still this charge has been framed and found not proved.

Charge No. (3).—The 3rd charge relates to avoiding of work and pretending illness and applying for leave. Sri Mehta rightly points out that even the dates on which the employee took leave have not been stated. But, however, from the next charge, charge No. 4, it is seen that the leave sought for was casual leave. The application for leave was submitted by the employee in the Bank premises and that leave was not even refused by the Agent. Para 2 of Ex. W.5 dated 30th January 1959 would show that he left the office with the permission of the Agent and after making all arrangements to see that the Banks routine and the office business are not upset. In fact he seems to have signed even some blank cheques and other documents so that the absence of himself as a co-signing officer might not impede the work of the Bank. In short, the deposition of the Agent shows that Shri Mehta left the Bank with his permission. If the Agent thought that this a mere ruse to shirk work he could have refused the casual leave and if Sri Mehta disobeyed he could be charged with dereliction of duty.

Charge No. 4.—This charge appears to be meaningless because when the Agent has relieved Sri Mehta, he (the Agent) thought that he could manage without the assistance of Sri Mehta or for that matter any other supervisor. During the leave of Sri Mehta for 2 days the Agent did not have the necessity to have any other supervisor. Sri Ramachandran came on 19th December 1958 because he was available and he had nothing else to do on that day.

The charges Nos. 5 to 7, even according to the Enquiry Officer were not proceeded with.

Point No. (5).—So much for the charges which have not been established by the evidence on record. Now, turning to extraneous matters imported, the Enquiry Officer has naively stated that he did not allow his mind to be prejudiced. It is clear even from the opening paragraph of his report which refers to the alleged

incidents at Ratlam, Delhi and Madras that he was influenced by those incidents. Again at page 4 of the Enquiry report, he states, "I may add one clinching circumstance in this case that occurred on 8th January 1959. When pulled up for late coming at 12 noon Mr. Mehta handed over a leave application reporting car trouble. I have no hesitation to treat this as a ruse to get round the nasty corner." But it will be seen from the evidence of Sri S. V. Ramamurthi, the Agent who was incidentally the complainant, that he did not say anything about the alleged incident on 8th January 1959. It is not easy to perceive how the Enquiry Officer came to the conclusion that Sri Mehta was pulled up for late coming when there is no evidence to that effect, according to the Enquiry Officer. His taking leave on 8th January 1959 has nothing to do with the charge-sheet which is dated 3rd January 1959. Thus, it is clear that the Enquiry Officer has taken extraneous matters into consideration and which are not included in the charge-sheet. This is certainly a basic error and offends the principles of natural justice, and shows lack of *bona fides*. This was so held by the Supreme Court in Lakshmi Devi Sugar Mills Ltd. v. Nandkishore Singh reported in 1956 II L.L.J. 439 at 443. The same is reemphasized in another decision of the Supreme Court in Punjab National Bank Ltd. v. Their workmen reported in 1959 II L.L.J. 666. In Choudhry v. Union of India reported in 1957 I L.L.J. 494 it was held that the Enquiry Officer must be careful to deal with the charges as framed and not depart from them or import extraneous matters.

But in this case from the opening paragraph of the Enquiry Officer, it is evident that he was influenced by those extraneous matters. The Enquiry Officer had no material before him as to what exactly took place at Ratlam. He conveniently overlooked the written statement of Sri Mehta submitted to him on 30th January 1959 wherein a reference had been made to the alleged incident at Ratlam and Sri Mehta had clearly stated that in spite of his repeated requests to the General Manager for copies of the proceedings of the enquiry alleged to have been conducted at Ratlam in 1956 he had not been furnished with the same even as on 30th January 1959. This was at no time denied by the Management and this point was not met or rebutted by the Enquiry Officer in his report.

In other words, in this case, it cannot be said that the Enquiry Officer was thoroughly unbiased and impartial in the broadest sense. It has been held in Janatha Pictures and Theatres v. Amulya Chakravarthy reported in 1956 II L.L.J. 67 at page 69 that the authority dealing with the workman should not be guilty of adopting unfair means and must not only act in good faith but also fairly and reasonably and without violating the principle of '*audi alteram partem*'. Even *ex parte* enquiries have to be held with scrupulous care—Imperial Tobacco Co. 1962 I L.L.J. P. 414. It has also been held that justice should not only be done but should manifestly and undoubtedly seem to be done—*Vide* 1954 Andhra Law Times at page 179. Another cardinal principle is that the law never acts by stealth.

In the instant case the Enquiry Officer certainly referred to and relied on documents of which no notice had been given to the charge-sheeted employee which has been expressly prohibited in Ghosh v. The Director of Public Instruction reported in 1958 I L.L.J. 42. Similar observations have been made in Omkar Prasad Gupta v. The State of U.P. reported in 1962 II L.L.J. 3.

The observations by the Enquiry Officer constitute a strange reading. The Enquiry Officer at the bottom of page 2 observes:

"Whereas Mr. Mehta in the absence of Sri P. V. Ramachandran should have taken up more responsibilities from the Agent, it is surprising that he (Mr. Mehta) had tendered a curious advice that Sri S. V. Ramamurthi being an Agent need not exert himself so much as he did but should emulate his counterparts of other branches wherein Mr. Mehta has worked in the past."

The deposition of Sri S. V. Ramamurthi before the Enquiry Officer does not contain one word which would substantiate this allegation. At page 4 of his report the Enquiry Officer makes a fantastic statement that the charges cannot but be vague. Thus, it would be clear and the Enquiry Officer also has observed that viewed in some particular background Sri Mehta's scrupulous adherence to the procedure was only deliberate escapism which was detrimental to the efficient working of the other staff. It is rather strange that Sri Mehta should be expected to function as an officer without any regard to the safety or security of the institution but merely tick and sign without taking care to protect the interests of the institution and the share-holders and the depositing public. The Enquiry Officer is himself a responsible Agent of a Branch and ought to have been familiar with

the strict instructions of the Head Office as to the procedure that should be adopted in the day to day routine and discharge of banking functions. The attitude of the Management, as disclosed in para 19 of the counter statement, is still more curious. It has been stated in para 19 that it is no part of the functions of the employee to point out the defects in the functioning of the branch as per instructions of the Management. Then, why issue innumerable circulars calling upon every employee to report to the Head Office without the medium of the local Agent or authority concerned if there was any irregularity or material contravention of the circulars of the Head Office? In fact there are circulars of the Head Office which have been filed which show that all the employees are enjoined to carefully observe the formalities and improve the position of the Jaipur Bank Ltd., which was becoming a target of criticism by the Reserve Bank of India.

Point (6).—The provisions of Sastry Award particularly in para 521 clearly lay down a very elaborate procedure in the matter of disciplinary proceedings. The Bank has to intimate who is the Enquiry Officer who will be the appellate authority etc. Such a thing was not done in this case. Further in terms of the provisions of Sastry Award and the rulings of the several tribunals, High Courts and more particularly Madras High Court, the chargesheeted employee is entitled to a copy of the findings to enable him to show cause against the proposed punishment of discharge. The findings of the Enquiry would include not only the conclusion of the Enquiry Officer but would really mean the entire findings so that the chargesheeted employee may understand the reasoning behind the conclusions of the Enquiry Officer and may rebut such conclusions and show cause why any proposed punishment should not be inflicted upon him. There are no such findings and the order of the General Manager is nothing more than a mere formula for dismissal.

In fact in Sridharajan V. District Superintendent of Police (A.I.R. 1960 A.P. 473) the court pointed out as follows:—

“What is necessary in all cases is that the fundamentals of fair play should be observed. The requirements of fairness is not exhausted in the taking or consideration of evidence but extends to the concluding parts of the procedure as well as to the beginning and intermediate steps. In ensuring this result it is important that the Tribunal should give reasoned decisions. The value of reasoned opinions as a check upon arbitrary administrative power will be readily evident. As pointed out by Bernard Schwartz in “Law and the Executive in Britain” in the first place the requirement of an opinion provides considerable assurance that the case will be thought through by the deciding authority.

There is salutary discipline in formulating reasons for results, a discipline wholly absent where there is freedom to announce a naked conclusion. Error and carelessness may be squeezed out in the opinion shaping process.”

All these were ignored by the General Manager who is the punishing authority. The General Manager says that the Enquiry Officer has in his findings found Sri Mehta guilty of the three charges—wilful insubordination or disobedience of lawful and reasonable orders of the management particularly of a superior and repetition of the same act in utter defiance etc., and recommended the discharge of Mehta. Wherein the General Manager discovered these findings it is difficult to perceive it. Nor did the fact set out in the report substantiate it. There was not a tittle of evidence disclosed to support any part of these charges, much less the charge of wilfulness or repetitions thereof, or wilful slowing down in the performance of work, neglect of work and negligence in performing duties. On the other hand the only complaint of all the witnesses seems to be that Sri Mehta was following meticulously the rules and was only working during office hours—from 10 a.m. to 5.00 p.m. with his usual lunch interval and that he did not work out of normal hours. The third conclusion of the general manager that Sri Mehta failed to show proper consideration, courtesy or attention towards officers, customers or other employees and of his unsavoury or unsatisfactory behaviour while on duty. It is found that even from the Agent's evidence that Sri Mehta was always courteously saying, “Yes, Sir,” and no person either the Agent or any other employee or the constituent has said that Sri Mehta lacked any courtesy or consideration. In fact, these naked conclusions the General Manager did not even flow from the Enquiry Officer's report and in fact the Enquiry Officer himself has given no findings on these charges.

Point (7).—The punishment given in this case, namely, dismissal, when viewed against this background, undoubtedly shocks one's conscience. The General Manager could have easily transferred this North Indian who found himself in uncongenial surroundings to any other Branch in the North and put him under a more sympathetic and firm Agent and extracted work from him. But his summarily terminating the services of Sri Mehta clearly indicates victimisation and unfair labour practice.

What would be victimisation and what would constitute unfair labour practice has been discussed in Eveready Flash Light Co. V. Labour Court and others reported in 1961 II L.L.J. 204 and L. H. Sugar Factories & Oil Mills Ltd. V. State of U.P. reported in 1961 I L.L.J. 686. The same question was also discussed in National Tobacco Co. of India Ltd. V. Fourth I.T. and others reported in 1960 II L.L.J. 175 at 187. It was held that the dividing line between victimisation and unfair labour practice is very thin and hence cases of victimisation and unfair labour practice overlap each other. It was also held in the last mentioned case that victimisation means one of two things—(1) where the workman concerned is innocent and yet he is being punished because he has in some way displeased his employer; or (2) where an employee has committed an offence but is given a punishment quite out of proportion to the gravity of the offence simply because he has incurred the displeasure of the employer in a similar manner. In this case Sri Mehta has made himself obnoxious to his superiors because he has obviously been pointing out irregularities and demanding rectification and made himself a difficult person to get on with, in the context in which he was placed. But even where it can reasonably be held that the employee was guilty of the charges levelled against him the harshness of punishment might lead to the inference of lack of *bona fides* or victimisation. This aspect has been dealt with by the Supreme Court in Central India Coalfields V. Ram Bilas Shobnath reported in 1961 I L.L.J. 546. The same question has been dealt with in Gopal Paper Mills Ltd. V. Industrial Tribunal, Punjab reported in 63 Punjab Law Reporter 299.

It was held by the Supreme Court in Bhavanagar Sugar Ltd. V. Jaisingh and others reported in 1961 II L.L.J. 644 that where the misconduct is not serious and still the Management seeks to dismiss a workman taking advantage of the fact that under the standing orders punishment of dismissal could be given, there might be scope for an argument that there is lack of *bona fides*.

In J.K. Cotton, Spinning and Weaving Mills V. Sri Lalitha Prasad reported in 1952 L.A.C. 393 it was held that victimisation may be evidenced by the fact that punishment is so excessive as to shock the conscience. The present case is undoubtedly one such instance.

The net result of this analysis is that the order of dismissal cannot be supported.

To what relief then is Sri Mehta entitled on that conclusion?

It is argued by Mr. Nayak that having regard to the past conduct of Sri Mehta at Ratlam, Delhi and Madras, he cannot claim reinstatement and that as a matter of fact the Management has lost confidence in him as he had broken all his previous promises. Charges were framed against him when he was working in Ratlam Branch. It resulted in an enquiry and charges were found to be proved. Sri Mehta was transferred to Delhi besides being punished otherwise. His going to Delhi office did not improve him and therefore on a complaint by the Delhi Agent he was transferred to Madras. In Madras his work was commented upon and the Agent had occasion to report to the Central Office—vide the proceedings of the Enquiry Officer dated 30th January 1959—and these facts will prove that the management has lost confidence in Sri Mehta.

But this contention cannot be accepted by me for two reasons, namely, firstly there is no proof regarding as to what happened before Sri Mehta joined the Coimbatore Branch and secondly because the Management says that it has lost confidence in him, we cannot refuse him the relief, for, in every case of dismissal the Management will say the same thing. On the other hand, we have got to find whether there were good reasons for losing confidence. In this case there were no such reasons.

It is then urged by Mr. Nayak that this Tribunal should not arrogate to itself the measure of punishment to be meted out. This argument is again without any substance. It has been held by Patna High Court in Sitalpur Sugar Works V. State of Bihar and others reported in 1958 II L.L.J. 95 and 101 and also by L.A.T. in another—case United Commercial Bank case—reported in 1952 II L.L.J. 577

that the Industrial Tribunal has absolute jurisdiction to maintain the punishment or set it aside or to pass such order or give such direction as it liked in the circumstances of the case and in view of the gravity of the offence, and that such direction could not be interfered with on a writ application. It was also held that it was open to the Tribunal to examine the findings of the domestic tribunal to protect the employee against vindictive or capricious action. A similar ruling was by the Madras High Court in Asher Textiles Ltd. V. Industrial Tribunal reported in 1958 I L.L.J. 482 at pages 485 and 486. In deciding a similar question the Supreme Court in Lakshmi Devi Sugar Mills V. Ram Saroop and others reported in 1957 I L.L.J. 17 at page 28 held that the Tribunal can scrutinise all the circumstances of the case and grant proper relief. It was also held that the Tribunal could go into the question of punishment being harsh or excessive or unconscionable in which case it would lead to the inference of victimisation and lack of bona fides.

On the other hand the earliest ruling on this point laid down that the powers of Tribunals are very wide and an adjudicator can interfere with the findings of the domestic tribunal and grant relief—*vide* Western India Automobile case reported in 1949 II L.L.J. 245 (Federal Court). It was held therein that the Adjudicator can order reinstatement, when the order of termination is bad and liable to be set aside. In deciding a similar question, the Labour Appellate Tribunal following the ruling of the Federal Court aforesaid held that the normal rule in such cases was reinstatement. (B. & C. Mills case reported in 1951 II L.L.J. 314). This question was rised before Tribunals, High Courts and Supreme Court and it has been held that reinstatement is the proper remedy in such cases.

In fact it is often contended by the employers that in the place of persons dismissed or terminated, some others have been appointed and hence dismissed or terminated workmen should not be reinstated. The Supreme Court had occasion to decide this question in Punjab National Bank case reported in 1959 II L.L.J. 666. It held that the mere fact that some other persons had been employed by the Bank in the place of the dismissed employees would not defeat the claim for reinstatement. The court ordered the reinstatement of the dismissed employees with back wages and continuity of service and all other consequential benefits. A similar ruling has been given by Madras High Court in the East India Industries case reported in 1955(2) L.L.J. 470.

Another argument sought to be advanced by the employers before the Courts is that reinstatement as a relief should be precluded because of the long time that had elapsed since the date of termination, and the date of reinstatement. The Supreme Court discussed this question in Swadeshi Industries Ltd. V. Their workmen reported in 1960(2) L.L.J. 78 and held that where an order of termination was itself bad, reinstatement cannot ordinarily be refused merely because long time had elapsed between the date of termination and the order of reinstatement.

The net result of this analysis is that Sri Mehta is entitled to be reinstated and in the context of this case with back wages from 10th March 1961. *(Starting point of this reference). In addition, though I have not reinstated him in effect from the date of termination, he will be eligible to all the benefits arising in the shape of increments etc. and he will now be fixed in the incremental scale of pay at such stage, which he would have had, if his services had not been terminated from 1959. The management will pay costs of Rs. 200 to the workers.

There will be an award accordingly.

*Vide amendment, dated 11th April, 1963.

(Sd.) P. N. RAMASWAMI,
Industrial Tribunal.

I.D. No. 57 of 1962.

Hear Sri P. J. Seetharaman and Sri Nayak.

Obviously the date 20th September 1961 given in the penultimate para of the award is a clerical mistake as the accompanying words in the square brackets will show. Amend 20th September 1961 to 10th March, 1961.

(Sd.) P. N. RAMASWAMI,
Industrial Tribunal.

Witnesses examined on behalf of the Management and Union—Nil.

Exhibits Marked on behalf of the management—

Ex. M-1 .	30-1-59	Findings of the enquiry office.
Ex. M-2 .	30-1-59	Letter from Udaichand Mehta to the Enquiry Officer.
Ex. M-3 .	16-5-49	Conduct certificate from the Agent, Bank of Jaipur at Sujat Road.
Ex. M-4 .	10-5-50	Conduct certificate from the Ratlam agent of the State Bank of Jaipur.
Ex. M-5 .	12-5-52	Conduct certificate from the agent of the Udaipur Branch of the Bank.
Ex. M-6 .	30-1-59	Letter from Shri Udaichand Mehta to the Enquiry Officer.
Ex. M-7 .	30-1-59	Statement submitted by S. V. Ramamurthi, Agent, Bank of Jaipur at Coimbatore to the Enquiry Officer.
Ex. M-8 .	28-1-59	Letter from the General Secretary of the Coimbatore District Bank Employees' Association to the General Manager, Bank of Jaipur.
Ex. M-9 .	30-1-59	Questions by enquiry officer and answers by Sri S. V. Ramamurthi in respect of Sri Udaichand Mehta before the enquiry officer.
Ex. M-10 .	"	Questions by enquiry officer and answers by S. V. Vishwagani, Proprietor, Mercury Book Co.
Ex. M-11 .	"	Questions by enquiry officer and answers by Sri R. Namjappa Gounder, Coffee Merchant.
Ex. M-12 .	"	Questions by enquiry officer and answers by Sri D. William, Manager Diesel India.
Ex. M-13 .	"	Questions by Enquiry officer and answers by Sri T. S. Baridhummadhan, Clerk, Bharat Cycle Stores.
Ex. M-14 .	"	Questions by Enquiry Officer and answers by Sri S. Rajan, Shroff.
Ex. M-15 .	"	Questions by Enquiry Officer and answers by Sri Narayanan, Clerk.
Ex. M-16 .	"	Questions by Enquiry Officer and answers by Sri K. S. Rama-chandran, Clerk attending to clearing.
Ex. M-17 .	"	Questions by enquiry Officer, and answers by Sri N. Venkata-chalam, Senior clerk.
Ex. M-18 .	"	Questions by enquiry Officer and answers by Shri P. V. Ramachandran, Cashier, Joint P.A. holder.
Ex. M-19 .	"	Question by enquiry officer and answers by Peon Raman.
Ex. M-20 .	"	Questions by enquiry officer and answers by Peon Achuthan.
Ex. M-21 .	"	Questions by enquiry officer and answers by Watchman Peritam.
Ex. M-22 .	"	Power of Attorney in favour of Sri Udaichand Mehta.
Ex. M-23 .	24-1-56	Copy of the letter of Appointment dated 24-1-56.
Ex. M-24 .	28-1-56	Copy of agreement from Mehta to the General Manager, Bombay.
Ex. M-25 .	20-2-59	Copy of the letter from Mehta to the General Manager, The Bank of Jaipur at Bombay.
Ex. M-26 .		Copy of the Rules and Regulations to be observed by the officers and staff of the Bank of Jaipur.

Exhibits Marked on behalf of the Union

Ex. W-1 .	3-1-59	Letter from the General Manager, Bank of Jaipur informing Mehta of the various charges framed against him.
Ex. W-2 .	13-1-59	Letters from Mehta to the General Manager.
Ex. W-3 .	20-1-59	Letter from Mehta to the General Manager.
Ex. W-4 .	30-1-59	Letter from Mehta to the Enquiry officer.
Ex. W-5 .	"	Letter from Mehta to the Enquiry officer. (Written statement in answer to the charges framed)
Ex. W-6 .	10-2-59	Letter from the General Manager to Mehta informing him of the receipt of the report of the enquiry officer.
Ex. W-7 .	20-2-59	Letter from Mehta to the General Manager replying to the show cause notice.
Ex. W-8 .	25-2-59	Order of termination of service of Mehta from the General Manager.
Ex. W-9 .	15-10-59	Minutes of Conciliation proceedings held by the Conciliation Officer at Madras.
Ex. W-10 .	6-12-58	Letter from Mehta to the agent of the Bank at Coimbatore protesting against allotment of clerical duties and reminder for pending Medical Bills.
Ex. W-11 .	24-8-59	Minutes of Conciliation proceedings at Coimbatore.
Ex. W-12 .	8-4-60	Letter from the Conciliation Officer to the General Secretary, Coimbatore Dt. Bank Employees Union for a panel of names of persons for arbitration.

Ex. W-13 .	9-4-60	(Letter from the Conciliation Officer to the Union forwarding a panel of arbitrators).
Ex. W-14 .	30-7-60	(Letter from the Management to the Conciliation Officer accepting the name of Sri P. Markandeyalu as arbitrator).
Ex. W-15 .	5-8-60	Letter from the conciliation officer to the Union informing the acceptance of Sri P. Markandeyalu as arbitrator by the management.
Ex. W-16 .	17-8-60	Letter from the Conciliation Officer to the Agent, Bank of Jaipur at Bombay.
Ex. W-17 .	27-8-60	Letter from the agent to the Union for taking immediate steps to submit the application U/S. 10-A I.D. Act.
Ex. W-18 .	12-9-60	Letter from the Union to the agent forwarding the agreement form signed by 5 persons.
Ex. W-19 .	12-9-60	Arbitration agreement signed by both the parties.
Ex. W-20 .	24-9-60	Letter from the Under Secretary, Central Govt., to the Management and the Union requesting resubmission of agreement.
Ex. W-21 .	29-10-60	Letter from the Conciliation Officer to the Management forwarding fresh application forms U/S. 10(A) I.D. Act.
Ex. W-22 .	28-11-60	Letter from the Conciliation Officer to the Union forwarding fresh application forms.
Ex. W-23 .	7-12-60	Letter from the Conciliation Officer to the Management.
Ex. W-24 .	2-1-61	Letter from the Conciliation Officer to the Management.
Ex. W-25 .	1-3-61	Letter from the Under Secretary to the Government of India to the Union.
Ex. W-26 .	2-3-61	Letter from the Conciliation Officer to the Union.
Ex. W-27 .	14-8-61	Letter from the Conciliation Officer to the Union.
Ex. W-28 .		Enclosure to the above.
Ex. W-29 .	20-9-61	Letter from Section Officer, Government of India to the Union.
Ex. W-30 .	29-5-58	Letter from the Management to Mehta about strict implementation of Banking Principles.
Ex. W-31 .	10-4-58	Letter from Mehta to the General Manager requesting rectification of irregularities at Madras Branch.
Ex. W-32 .	11-7-58	Letter from Mehta to the General Manager assuring that he would discharge his duties according to instructions.
Ex. W-33 .	11-7-58	Annexure to the above.
Ex. W-34 .	15-8-58	Letter from Mehta to the Agent pointing out irregularities existing in Madras Branch.
Ex. W-35 .	21-8-58	Circular (Management)
Ex. W-36 .	"	Do.
Ex. W-37 .	23-8-58	Letter from Udaichand Mehta to the Agent—Pointing out irregularities.
Ex. W-38 .	25-8-58	Letter from Mehta to the agent for stationery.
Ex. W-39 .	14-10-58	Letter from Mehta to the Agent pointing out irregularities.
Ex. W-40 .	16-1-59	Letter from Mehta to agent pointing out irregularities and mal-practices.
Ex. W-41 .	5-9-59	Letter from the Conciliation Officer to Management.
Ex. W-42 .	10-7-59	Letter from the Conciliation Officer,
Ex. W-43 .	12-8-59	Do.

[No. 10(136)/60-LRIV.]

New Delhi, the 29th April 1963

S.O. 1266.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the industrial dispute between the employers in relation to the Punjab National Bank Ltd. and their workmen.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, DELHI

PRESENT

Shri Anand Narain Kaul, Central Government Industrial Tribunal, Delhi.

16th April, 1963

REFERENCE I.D. No. 278 of 1962

BETWEEN

The employers in relation to the Punjab National Bank Limited, New Delhi.

AND

Their workmen.

Shri R. Ajmani for the Bank/management.

Shri Hasanlal Jain workman in person.

AWARD

By Government Order No. S.O.51(36)/62-LRIV dated the 24th September, 1962, the Central Government was pleased to refer, for adjudication, to this Tribunal an industrial dispute existing between the employers in relation to the Punjab National Bank Limited, New Delhi and their workmen in respect of the matter specified as follows in the Schedule subjoined to the Order:—

Whether the appointment of Sarvashri Devdutt and Onkarnath as Head Cashiers by the Punjab National Bank Limited amounted to the supersession of the claims of Shri Hasanlal Jain, Assistant Cashier, for appointment to the said post and, if so, to what relief, if any, is Shri Jain entitled ?

2. When the matter came up today for hearing before me, the parties reported having arrived at an amicable settlement and a memorandum of settlement was jointly filed by Shri R. Ajmani representing the Bank and by Shri Hasanlal Jain workman concerned in person. The parties verify the terms of the settlement contained in the memorandum and seek an award in terms thereof. I accordingly make my award in terms of the memorandum of settlement annexed hereto and marked as Annexure "A", which shall form part of the award.

The 16th April, 1963.

ANAND NARAIN KAUL,
Central Government Industrial Tribunal,
Delhi.

ANNEXURE "A"

BEFORE SHRI A. N. KAUL CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
DELHI.

I.D. No. 278 OF 1962

In the matter of an Industrial Dispute between

The Management of the Punjab National Bank Ltd., Parliament Street,
Head Office, New Delhi.

AND

Its workman Shri Hasan Lal Jain, as represented by Punjab National Bank Employees Union, 710, Balli Maran, Chandni Chowk, Delhi-6.

The parties to the above dispute beg to state as under:—

That the following reference is pending adjudication before this Hon'ble Tribunal:—

"Whether the appointment of Sarvashri Devdutt and Onkarnath as Head Cashiers by the Punjab National Bank Limited amounted to the supersession of the claims of Shri Hasanlal Jain, Assistant Cashier for appointment to the said post and if so, to what relief, if any, is Shri Jain entitled".

That the dispute has been compromised between the parties on the following terms:—

- That Shri Hasan Lal Jain will be posted as Head Cashier at the proposed Green Park New Delhi office of the Punjab National Bank Limited.
- That the appointment as Head Cashier will be effective from the date of opening of the said office.
- That he will execute the Cashiers' Agreement and deposit a cash security of Rs. 2,000/-.
- That this is in full and final settlement of the dispute.

It is prayed that an Award be given in this dispute accordingly.

For the Punjab National Bank Employees' Union

For the Punjab National Bank Ltd.

Sd./- P. L. SYAL,
General Secy.

Sd./- Illegible,
Staff Manager.

New Delhi, the 16th April, 1963.

[No. 51(36)/62-LRIV.]

ORDERS

New Delhi, the 24th April 1963

S.O. 1267.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Tata Iron and Steel Company Limited, Digwadih, Post Office Jealgora, Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether Shri N. M. Mukherjee is entitled to the scale of pay of Rs. 87—7—115—8—131—9—158 instead of the scale of Rs. 60—5—100 which has been allowed to him? If so, from what date?

[No. 2/104/62-LRII.]

New Delhi, the 26th April 1963

S.O. 1268.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Gupta Lime Works, Katni and their workmen employed in the Barari Quarries in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the stoppage of work in the Barari Lime Stone Quarry of M/s. Gupta Lime Works, Katni, with effect from 23rd March, 1963 amounted to a lockout? If so, to what relief are the workmen affected entitled?

[No. 22/14/63-LRII.]

S.O. 1269.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Gupta Lime Works, Katni and their workmen employed in the Barari Quarries in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of 1. Dhangan Madari 2. Sundi Meedhoo 3. Dwiji Namalya 4. Sadhuo Kaloo 5. Dasodiya Baldeo 6. Ramprasad Bhaian 7. Shankar Baldeo 8. Santi Ramadhin by the management of Barari Lime Stone Quarry of M/s. Gupta Lime Works, Katni with effect from 22nd March, 1963, is in order and is justified? If not, to what relief are these workmen entitled?

[No. 22/14/63-LR. II.]

New Delhi, the 27th April 1963

S.O. 1270.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Nowrozabad Colliery of Associated Cement Company Limited, Post Office Nowrozabad, District Shahdol

and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, Whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under Section 7A of the said Act.

SCHEDULE

Whether the discharge of Shri Bhaiyyalal, mining sirdar, by the management of the Nowrozabad Colliery, was justified. If not, to what relief is he entitled?

[No. 5/25/63-LRII.]

New Delhi, the 29th April 1963

S.O. 1271.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Simlabahal Colliery, Post Office Jharia, Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Shri Ram Sakal Pandey, night guard, by the management of Simlabahal Colliery was justified. If not, to what relief is he entitled?

[No. 2/14/63-LRII.]

A. L. HANNA, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 27th April 1963

S.O. 1272.—In exercise of the powers conferred by sub-section (2) of section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendment in the First Schedule to the said Act, namely:—

In the said Schedule, in the entries relating to the University of Poona, after the entry "Doctor of Philosophy (Pathology)... Ph. d. (Path) Poona," the following entry shall be inserted under the columns "Recognised medical qualification" and "Abbreviation for registration" respectively, namely:—

"Diploma in Public Health... D.P.H. (Poona)"

[No. F. 17-14/61-M.I.]

B. B. L. BHARADWAJ, Under Secy.

New Delhi, the 29th April 1963

S.O. 1273.—In exercise of the powers conferred by sub-section 1 of section 12 of the Delhi Development Act, 1957 (61 of 1957) and in continuation of the notification of the Government of India in the Ministry of Health No. F. 8-(24)/59-LSG, dated the 21st September, 1962, the Central Government, after consultation with the Delhi Development Authority and the Municipal Corporation of Delhi, hereby declares the areas described in the Schedule below to be development areas for the purposes of the said Act.

SCHEDULE VIII

Description of area	Area in acres
Area bounded by Mall Road on the North, G.T. Road on the South West, Pambari Road on the east and Narula Nursery on the West ..	180
Area bounded by G.T. Road to Karnal on the North-East, Railway line to Ambala on the South-West and Southern boundary running perpendicular to G.T. Road at a distance of about 660' from Pambari Road along G.T. Road and Northern boundary running perpendicular to G.T. Road at about 3636' from Pambari Road along G.T. Road ..	80
North-West:—Siri Village, South:—Chirag Delhi Kalkaji Road, East:—Katcha Road linking Kalkajl with Ring Road ..	130
North-West:—Greater Kailash, North-East:—Existing 100' wide Road, South-West:—Existing Wireless Station, South-East:—Kalkaji Road ..	90
North-West:—Parallel to the proposed railway line to Ghaziabad near Patpar Ganj, East:—Boundary line of Delhi Territory, South-East along the proposed Railway line (L.U.P.), South-West:—150' wide proposed Road (L.U.P.) leading to G.T. Road ..	280
North:—Private agricultural land, East:—Nazul land allotted to Gandhi Memorial Craft School, South:—G.T. Road, West:—Private land of Bagichi Raghubar Dayal ..	53
North:—A line running practically parallel to Badarpur Meharoli Road at a distance of about 9700', South:—Badarpur Meharoli Road, East:—Boundary of Railway Marshalling Yard near Tuglaqabad Railway Station, West:—Proposed Road linking Chiragh Delhi-Kalkaji Road and Badarpur Meharoli Road N	400

[No. 8-14/61-LSG.]

A. K. DAR, Under Secy.